

Fifth Series, Vol. LXIII No. 3

Thursday, August 12, 1976

Sravana 21, 1898 (Saka)

Lok Sabha Debates

(Seventeenth Session)



सत्यमेव जयते

(Vol. LXIII, contains Nos. 1-10)

LOK SABHA SECRETARIAT

New Delhi

Price- Rs 2.00

CONTENTS

No. 3, Thursday, August 12, 1976/Sravana 21, 1898 (Saka)	COLUMNS
Obituary Reference	4
Oral Answers to Questions :	
*Starred Questions Nos. 41 to 46 and 48 to 50.	2—30
Written Answers to Questions:	
Starred Questions Nos. 47 and 51 to 60	30—38
Unstarred Questions Nos. 294 to 329, 331 to 360, 362 to 410 and 412 to 458	38—169
Papers laid on the Table	169—78
Message from Rajya Sabha	178
Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Bill—	
As passed by Rajya Sabha	178
Calling Attention to Matter of Urgent Public Importance—	
Reported closure of jute mills and fall in price of raw jute	179—205
Central and Other Societies (Regulation) Bill—	
(i) Report of Joint Committee	205
(ii) Evidence	205
Committee on Private Members' Bills and Resolutions—	
Sixty-fifth Report	205—206
Code of Civil Procedure (Amendment) Bill—	
Motion to consider, as reported by Joint Committee —	
Shri R. R. Sharma	206—15
Shri Jagannath Rao	215—22
Shri B. R. Shukla	222—27

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member

Shri S. M. Banerjee	227—32
Shri Liladhar Kotoki	232—36
Sardar Swaran Singh Sokhi	236—39
Dr. V. A. Seyid Muhammad	239—45
Clauses 2 to 98 and 1	245—71
Motion to pass, as amended—	
Dr. V. A. Seyid Muhammad	271
Shri Ramavatar Shastri	271—73
Statutory Resolution <i>re</i> . Disapproval of Maintenance of Internal Security (Amendment) Ordinance and Maintenance of Internal Security (Second Amendment) Bill—	
Motion to consider—	
Shri Somnath Chatterjee	273—88
Shri K. Brahmananda Reddy	288—89
Shri R. S. Pandey	289—300
Shri P. G. Mavalankar	300—308
Shri Hari Singh	308
Business Advisory Committee—	
Sixty-second Report	309—10

LOK SABHA DEBATES

LOK SABHA

11.04 hrs.

2

Thursday, August 12, 1976/Staravara
21, 1898 (Saka)

The Lok Sabha met at
Eleven of the Clock

[MR. SPEAKER in the Chair]

OBITUARY REFERENCE

MR SPEAKER: Hon. Members, I have to inform the House of the sad demise of Shri P. C. Adichan, who passed away at NSS Medical Mission Hospital, Pandalam, Alleppey District, Kerala, on the 7th August, 1976, at the age of 69.

Shri P. C. Adichan was a Member of the Fourth Lok Sabha from Adoor constituency of Kerala during the years 1967-70. A popular social worker, he was a Member of the Travancore Legislative Assembly and Travancore-Cochin Legislative Assembly. Later, he was a Member of Kerala Legislative Assembly during the years 1960-65. Deeply devoted to the upliftment of Harijans, he organised Co-operative societies and welfare schools for the Harijans in his home State.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while

1318 LS-1.

ORAL ANSWERS TO QUESTIONS Labour Participation in Management

*41. SHRI RAJA KULKARNI:
Will the Minister of LABOUR be pleased to state:

(a) the progress of the scheme of labour participation in management of Industry in both public and private sectors; and

(b) what measures are being taken for creating united and strong trade unions in order to make the scheme successful?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) The Scheme for Workers' Participation in Industry is being implemented all over the country both in public as well as private sectors with great zeal. According to the information available, 472 public sector units of the Central Government have either implemented or initiated action to implement the scheme. The provisional number of units reported by the State Governments, to have implemented the scheme in the various States is 924.

(b) The bipartite Apex Bodies set up after the emergency have brought about a measure of united trade union approach on important matters like the scheme of workers' participation. The National Apex Body discussed the Scheme, in detail, and commended its early implementation by employers' and workers' organisations in all the units.

SHRI RAJA KULKARNI: In the statement it has been stated that 472 public sector units of the Central Government have either implemented or initiated action to implement this scheme. I wish this figure is verified because we do not know whether the

Central Government has so many public undertakings.

Similarly, in the case of the States, it is not clear whether the figure of 924 includes private undertakings. In any case, it is generally known that the private sector in this country has not taken to this labour participation scheme with zeal or shown any interest in it. So, would the Labour Minister put the private industry on the same footing as the public sector in respect of this participation?

Secondly, what I have asked in my question is the progress of the scheme that is the evaluation of the performance, whether the introduction of this scheme has helped in increasing production and improvement of industrial relations. I wish the hon. Minister gives a reply to that.

SHRI RAGHUNATHA REDDY: The hon. Member should make a distinction between a company and a unit. A company may have units in several States. So, the figure of 472 need not necessarily mean 472 companies. This includes 247 units in the mining sector, 188 in the manufacturing sector and 37 departmental undertakings such as Defence, Posts & Telegraphs, Mint, Security Press, Railway workshops etc. If the hon. Member so desires, I will be in a position to supply all the countries, but I do not want to burden the House by giving them.

With regard to the private sector, workers' participation at the industrial and shop floor level is taking place, and I have had the opportunity of reviewing the implementation process in two states so far Andhra Pradesh and Tamil Nadu. The work is quite satisfactory, and I am happy to inform the House that after the introduction of the scheme there is a definite improvement in production and productivity. Though I may not be able to give it in tangible figures, I can safely draw the general Conclusion that there is a definite im-

provement after the implementation of this scheme.

SHRI BAJA KULKARNI: The hon. Minister has not mentioned about improvement in industrial relations, whether the traditional rights of the management in respect of employment transfers, promotions etc., are undergoing a change after the introduction of this scheme.

SHRI RAGHUNATHA REDDY: The functions of the Shop Floor Council and the Plant Council are given in the Workers' Participation Scheme which had been announced by the Government of India by way of a Resolution. As far as certain matters of industrial relations are concerned, it is a matter for the representatives of the trade unions to deal with. The Shop Floor Council and the Plant Council are concerned with such objectives and responsibilities as are described in the participation scheme itself. Nevertheless, industrial relations have improved and especially in the public sector, the man-days lost have become almost negligible.

SHRI NARSINGH NARAIN PANDEY: Will the hon. Minister please tell us whether, in the joint stock sector, any improvement has taken place because in many of the joint stock factories, especially in sugar, the production is going down. At the shop floor level, labour participation has not taken place in all factories. May I know whether he is calling any Conference of the State Labour Ministers to discuss the problems, in the near future?

SHRI RAGHUNATHA REDDY: I do not know what exactly does my hon. friend mean by joint stock.

SHRI NARSINGH NARAIN PANDEY: The sugar factories in the private sector.

SHRI RAGHUNATHA REDDY: With regard to seasonal factories like sugar, the implementation process, except in certain areas of cooperative sector, is not good. In fact, notwithstanding the fact that we have not

mentioned about representation to workers being given on the management level, certain co-operative sugar factories have given representation to the workers, and in those areas the man-days lost have come down.

With regard to the suggestion made by the hon. Member whether State Labour Ministers' Conference will be called for, I am having a review State by State, so that we may be able to find out the position and discuss the matter in greater depth. After the review of the whole thing is over then we can have a Labour Ministers' Conference.

SHRI INDRAJIT GUPTA: I understood the hon. Minister to say that the National Apex body, including the trade union organizations represented there have commended this scheme for implementation. But I want to know from him whether it is not a fact that the trade union organizations have also criticised very firmly the lack of any provision in the scheme whereby the workers' representative can express their opinions on, or have access to information regarding, managements, for example, on their marketing and pricing policies, their inventory policies, their methods of getting raw materials, their dealings with private contractors, and so on, on which the final financial results of these companies depend. Is it not a fact that the Committees, as constituted at present, are solely for the purpose of increasing production and productivity and do not give the workers' representatives any opportunity to question or discuss the policies of the management which may lead, despite increase in production, to adverse financial results which again are used as an excuse to deny the workers' their dues? Has he got any plan or any scheme for amending this scheme, so that the workers can really have a say in the management and not only in production?

SHRI RAGHUNATHA REDDY: When I say that the workers' representatives in the National Apex body have commended the scheme, it means, to the extent the scheme is provided for, they have accepted and they have commended it. It does not mean that they do not offer criticism. They offer criticisms too. With respect to representation of workers on the Boards of Management this is a matter that should be a part of the process of evolution of participation. As far as the present scheme is concerned it does not provide for that. All the suggestions made at the Apex Body level and by the hon. Member would, certainly, be kept in mind.

Race riots in England

+

*42. **SHRI N. E. HORO:**
SHRI CHANDRA SHEKHAR SINGH:

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether race riots are going on in England and a number of attacks were made by Whites on Asian residents in various parts of England;

(b) if so, the number of attacks made on Indians and persons of Indian origin there and the number of Indian persons killed or injured due to the same;

(c) the steps the Indian Government have taken to protect the life and property of the Indian residents in England; and

(d) whether Government have protested to British Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) There has been racial tension and no race riots going on in Britain. There are some sporadic cases have been reported in different parts of Britain. All incidents involving Indians are not necessarily racial in origin.

(b) Exact number is not known as all cases are neither reported nor come to the notice of our High Commission. Reports about injuries to four persons and deaths of two persons have so far been received. One of the two dead was an Indian national and the other a person of Indian origin.

(c) and (d). The responsibility for protection of life and property of Indians resident in Britain rests with the British Government with whom we are in constant touch. Our concern has been expressed to them at various levels. They have stated that their "Government and the Police were determined to take every possible measures to protect the minority communities from intimidation and violence." The British Prime Minister and other leaders have made public statements condemning racialism and violence.

SHRI N. E. HORO: There has been racial tension and not race riots. That is what the Minister has said. It is a fair assessment of the situation. I would like to know whether it is a fact that in a large number of cases the immigrants coming to Britain have either evaded or violated immigration laws with the result that there is this racial tension. Further, I want to know whether this question which has been coming for a long time has ever been raised in the various Commonwealth Conferences in the past. If not, would the Government take up this matter for discussion in future conferences?

SHRI BIPINPAL DAS: I have no information about the immigrants making wrong use of immigration laws in Britain.

So far as the Commonwealth Conferences are concerned, about the past I will have to check up. But I will certainly point out that in the meantime we have taken several steps as I have indicated. If you want details, I can give.

We have taken up the matter with the British High Commissioner here and our High Commission there has also taken up the matter at different levels and ultimately, a Joint Delegation of the Indian High Commissioner, the Bangladesh High Commissioner and the Pakistan Ambassador in London met the Prime Minister and other leaders there and have secured assurances from them that they will do everything possible to bring the situation under control and that the protection of life and property of the immigrants is their responsibility. In the face of this, we will certainly examine and if things continue like this and the situation does not ease, certainly we may have to take up the matter at the next Commonwealth Conference. But I cannot say anything just now.

SHRI N. E. HORO: Has the Minister seen a statement made by the Archbishop of Canterbury in which he has very categorically said that the immigration laws are evaded and therefore, this tension arose. Then some Members of the British Parliament also seem to have a very soft attitude towards persons who are causing tension. The Minister said that the immigration laws have not been violated. Then, what are the reasons for this racial tension?

SHRI BIPINPAL DAS: I misunderstood the first part of his question. I thought of immigrants making misuse of the immigration laws. Now he puts it in the reverse order.

Sir, it is quite true that the existing Race Relations laws have some loopholes and, therefore, a new legislation is just now before the British Parliament and through this Bill they want to plug all the loopholes and take stringent measures so that these things do not happen.

SHRI R. S. PANDEY: The hon. Deputy Minister has just now stated that there is racial tension prevailing in England and that the British Gov-

ernment has been approached and a good response received from the Prime Minister himself. There is social hatred and colour bar going on. May I know what steps have the Government taken in order to see that the conditions by which this situation is created may not recur again? May I also know what guarantee is there that in future such things will not take place again? May I know if there is social hatred and colour bar going on and if so, has any effort been made by the Government to see that the immigrants are given proper protection?

SHRI BIPINPAL DAS: This is exactly what I have stated. I cannot give any precise guarantee. It is for the British Government to look after the life and property of the immigrants.

SHRI R. S. PANDEY: I said about attention to be drawn.

SHRI BIPINPAL DAS: We have drawn their attention several times at different levels. We shall continue to do so, and if necessary at the commonwealth conference also.

श्री शंकर बहाल सिंह : रंगभेद का प्रश्न बहुत विनोद से संयोजित है। मुझे दुःख है, जिस के शिकार एशिया महाद्वीप के लोग हुए हैं, यह एक विनोद का विषय है। मैं समझता हूँ कि इस सवाल से काम नहीं चलेगा, बल्कि मैं सरकार से कहना चाहूँगा कि जब हाई कमिशनर द्वारा बातचीत करने के बाद उन की पूरा रिपोर्ट सरकार के पास आये, तो उस को सबन में इस विषय पर एक स्टेटमेंट देना चाहिए। मैं जानना चाहता हूँ कि जो भारतीय बच्चा उस वंश में जाया गया, क्या हमारे हाई कमिशनर उसके परिवार को सन्तान देने के लिए उस के घर गये और क्या उन्होंने सन्तान में संतुष्टि के लिए जा कर, वहाँ के बेटे-बेटियाँ, भारतीयों से मुलाकात की और उन से

वस्तुस्थिति को जानने का प्रयत्न किया; यदि हाँ, तो इस सम्बन्ध में उन की रिपोर्ट क्या है।

SHRI BIPINPAL DAS: Certainly we have taken all the steps which the hon. Member has stated. Our Deputy High Commissioner himself went to the area and tried to remove the difficulties. I want to add to what Mr. Horo has stated. The Archbishop of Canterbury has made a public statement condemning this racist attitude in very strong terms. They have taken several steps and the position at the moment is that for the last one month or so there have not been any further reports of such incidents.

Indian Seamen working for British-owned Ships

43. **SHRI DINEN BHATTACHARYA:** Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware that thousands of Indian seamen working for British-owned ships would lose their jobs by the decision of the British Government to end as early as possible the prevailing system, which compels Asian seaman to work at lower rates of payment in comparison with his British or European counterpart; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI)
(a) Yes, Sir.

(b) The U.K. Government have set up a Working Group with a view to studying the problems involved in phasing out the employment of Asian and other non-domiciled seafarers in U.K. Ships and suggest agreed solutions to these problems. The Working Group is likely to submit

its report after 12 months. The impact of phasing will, therefore, be known only after the report of the Working Group is available. Meanwhile, status quo will continue. As such, there is no immediate danger of Indian seamen losing their jobs on British ships.

SHRI DINEN BHATTACHARYYA: May I know actually what is the ratio, that is, how much the British seafarer is getting as his salary and other amenities inclusive and what an Indian seaman working in the British ship is getting? Was any such comparison made?

AN HON. MEMBER: You must compare British M.P.s. and Indian M.P.s.

SHRI H. M. TRIVEDI: About the details of what a British seafarer gets on a British ship, I don't think I am really capable of answering it. As far as Indian seafarer on British ship is concerned, he draws a minimum wage of 36 pounds besides other peripheral benefits. The differential between that and the recommended minimum wage of 48 pounds is being subscribed to by British flag ship owners to a welfare fund in India for seafarers' welfare.

SHRI DINEN BHATTACHARYYA: I don't know how the position can be explained on the basis of the reply given by the hon. Minister. He does not know the actual difference and the condition there. In his answer he says that the status quo will continue till such time as the working group comes out with its own report which will take another 12 months. May I know what does it mean? What will be the status quo?

SHRI H. M. TRIVEDI: The status quo will only mean that the British shipowners will continue the employment of the Indian seafarers on the same basis as they have been doing so far.

Vaccine to prevent births.

MR. SHRI D. D. DESAI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government have come to a decision regarding use of a vaccine to prevent births that was discovered by the AIIMS scientists; and

(b) if so, the outline thereof?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) and (b). Development of the anti-pregnancy vaccine is still in an experimental stage.

SHRI D. D. DESAI: Presently, the family planning is one of our important goals and one of the present pills with high estrogen has been proved to be harmful. The present vaccine which is in the experimental stage is developed out of the anti-bodies of hormone progesterone. I know that the hon. Minister has experimented these things and it can hold back the pregnancy by one year.

But, what I would like to know is this. In view of the fact that it is in an experimental stage and in view of the wide requirements in this country and overseas also of controlling the family, what sort of cooperation he gets by experimental work that he is doing on this and whether the benefits of experiments would be available to people in India and overseas.

DR. KARAN SINGH: As far as I know, it is my scientists who are experimenting and not me—myself. I think the hon. Member when he talks of the high estrogen, he is talking really of the pill. As far as I am aware, high estrogen is not a vaccine but it is a pill—an oral pill. That is totally a new system which is being developed at the All-India Institute of Medical Sciences and it is based upon the very special hormone—HCG—which is developed only in

pregnancy and the theory is that if the anti-bodies of that hormone could be developed, then the pregnancy would not take place.

Now, this has a tremendous implication for the future because, if we are able to get the vaccine, then the whole question of sterilisation and all that becomes obsolete and we can move as we did in the case of small-pox on a massive scale and I would like to inform you, and through you, the House that the trials have started on the animals and certain human trials in the country abroad have also started, in five countries. Phase I clinical trials have been started in five foreign countries in Sweden, Finland, Brazil, Chile and Santa Baminco. We are in touch with all the scientific work that is being done all over the world. Whatever inputs are required will be given and I am hoping that the real definitive break-through in this field at least will come from our country.

At least here we should not have always to wait for the western scientists to have the breakthrough and as soon as the breakthrough comes, I am sure there are nobel prizes awaiting to be won for the persons who succeed.

साक्ष्यकर्त्री, कारखाना-बन्दी और छंटनी

*45. श्री मूलचन्द डागा : क्या अब मंत्री यह बताने की कृपा करेंगे कि :

(क) मत 6 महीनों में कितने उद्योगों ने साक्ष्यकर्त्री और कारखाना-बन्दी की या शक्ति की छंटनी की और कितने शक्ति की छंटनी की गई;

(ख) क्या सरकार ने ऐसे उद्योगों के विरुद्ध कोई कानूनी कार्यवाही करने पर विचार किया है; और

(ग) यदि हाँ, तो किस प्रकार की कार्यवाही की जायेगी ?

THE MINISTER OF LABOUR (SRI RAGHUNATHA REDDY): (a) to (c). A statement is laid on the Table of the House.

Statement

(a) Industry-wise details regarding lock-outs and retrenchments are given in Statements I and II laid on the Table of the House [Placed in Library See. No. LT-11048/76]. As regards closures, industry-wise details are not available. State-wise information has, however, been given for the period December, 1975 to May, 1976 in Statement III laid on the Table of the House [Placed in Library See. No. LT-11048/76].

(b) and (c). The Industrial Disputes Act has been amended to make prior approval of the appropriate Government necessary in the case of lay-offs, retrenchment and closures in respect of factories mines or plantations employing 300 or more persons. For violation of the Act, specific penalties have been laid down in the Act.

श्री मूलचन्द डागा : अध्यक्ष महोदय, जो स्टेटमेंट दिया गया है, वह झूठा है, वह पूरा नहीं है।

अध्यक्ष महोदय : यह स्टेटमेंट कानूनी सच्चा है। क्या वह फिर भी पूरा नहीं है।

श्री मूलचन्द डागा : जी नहीं। फिर भी मैं हम बारे में दो क्वेश्चन करना चाहता हूँ।

उत्तर में बताया गया है कि कुल 8,806 श्रमिक रिटायर कर दिये गये हैं। मैं यह जानना चाहता हूँ कि जो नया इंडस्ट्रियल डिस्ट्रिक्ट एक्ट पारित किया गया है, उस के अन्तर्गत कितना कम्पेन्सेशन किन-किन को मिला है, और वह मिला है या नहीं, और सरकार के पास किस यूनिट की, किन सेक्टर की शिकायत आई है।

Whether any complaint has come to the Central Government or not?

SHRI RAGHUNATHA REDDY: No complaint has been received.

श्री मूलचन्द डाया : 335 मुन्दस क्राउट होने के कारण 57684 सेक्टर को बंद करने का काम से निकाल दिया है। इन के बाबत क्या किसी ने जो 3 महीने का नोटिस पहले दिया था और दिया था तो उस दरमियान में सरकार ने क्या कदम उठाया ?

SHRI RAGHUNATHA REDDY: It is very difficult for me to answer on behalf of all the State Governments.

SHRI B. V. NAIK: The hon. Minister has stated in reply to part (b) and (c) that the Industrial Disputes Act has been amended to make prior approval of the appropriate government necessary in the case of lay-offs, retrenchment and closures in respect of factories. Sir, we find 73,000 persons have been affected as a result of lock-outs, 8,000 as a result of retrenchment and 57,000 because of closures. May I know whether in the case of all those persons who have been affected prior approval of the appropriate government was obtained?

SHRI RAGHUNATHA REDDY: Sir, the law that has been passed by Parliament provides for the necessity of prior permission in case of lay-offs, retrenchment and closures and it does not cover lock-outs and strikes. Further, Sir, I have got the figures in respect of the undertaking whose jurisdiction has been conferred on the Central Government but I do not have the figures where the jurisdiction is with the State governments.

SHRI PRIYA RANJAN DAS MUNDASI: I want to draw the attention of the hon. Minister to the statement made by Shri K. K. Birla, President of Indian Chambers of Commerce and Industry at a party in London which has appeared in the Indian Express issue of yesterday. Shri Birla has defended Emergency on the point that there is massive economic growth and acceleration of economic growth. With that in view, I would like to

know whether the retrenchment and the general serious situation of the working people in the industry have been found adversely affected in private sector managed by the monopoly houses and not in the public sector. I would also like to know in how many cases Government took serious steps against those who violated the Government's directives. I am told Lala Charat Ram refused to listen to the Government. Similarly, Shri K. K. Birla and Shri R. N. Goenka refused to listen in respect of National Tobacco Company affairs. What are the precise steps taken by Government in this respect?

SHRI RAGHUNATHA REDDY: I have not read the statement made by Shri K. K. Birla but nevertheless after the declaration of emergency the mandays lost in the public sector have almost come down to an insignificant level and similarly the mandays lost in the private sector have come down considerably. This is an indication of increasing production as well as productivity. With regard to the specific matters mentioned by Shri Das Mundi as these matters fall within the jurisdiction of the State governments I am not in a position to reply.

SHRI N. SREEKANTAN NAIR: I am afraid the figures given by the hon. Minister with regard to Central Government undertakings are all wrong. In one particular case alone, in the case of the Chavara mines belonging to the Indian Rare Earths owned and run by the Atomic Energy Department of the Government of India, more than 700 workers have been thrown out of employment. They were being regularly thrown out for short periods and now they are completely thrown out without any notice being given. This was illegally done. This matter of their service conditions has several times been brought to the notice of the hon. Minister. His figure is much lower than the actual figures. So your figures are all wrong up. Is he aware of the fact that these people have been thrown out of employment from the Chavara mines?

SHRI S. A. SHAMIM: If so, will he say what is the truth?

SHRI RAGHUNATHA REDDY: With regard to lay-offs, we have received 21 applications. Permission was granted only in one case, 15 were rejected and the rest are pending. With regard to retrenchment, 6 applications have been received.

SHRI N. SREEKANTAN NAIR: I am asking about the Chavara mines of the Indian Rare Earths. Have they made any application? I want to know whether he has got an application from them.

MR. SPEAKER: He wants notice. He does not know about that particular matter.

SHRI N. SREEKANTAN NAIR: He said one particular application was granted. Was it come from the mines managed by the Indian Rare Earths? This he can answer.

SHRI RAGHUNATHA REDDY: The hon. member can come to me. I will discuss with him.

SHRI VASANT SATHE: Is it a private matter between you and him? We are also interested. You must tell us whether that is the concern to which permission was given.

SHRI RAGHUNATHA REDDY: I do not have the information with me. I can supply it later.

SHRI INDRAJIT GUPTA: In view of the provisions of the amended Industrial Disputes Act, are to take it that in all these 408 cases of retrenchment and 335 cases of closure, prior approval of the Government has been given, because if not, these are illegal actions? This point must be clarified. Secondly, has his attention been drawn to the fact that in many cases in order to circumvent the provisions of the amended law, closures are being carried out in the name of lockouts because lockouts are not covered? Actually closures are being effected

and employers are passing them off as lockouts. I think his attention has been drawn to this because I read a statement by him somewhere in which he made a reference to this. I want to know what measures Government will take to see that this kind of circumvention of the law is not permitted.

SHRI RAGHUNATHA REDDY: With regard to the question raised that managements are resorting to lockouts instead of calling them closures, lockout is a kind of euphemism for closure. I have drawn the attention of State Governments and requested them to take vigorous action in this respect so that lockout is not permitted where it is actually a closure.

As to the other part of the question whether prior approval has been given, I have given figures with regard to Central Government undertakings. Other cases fall within the jurisdiction of State Governments. I cannot immediately analyse them and say what is the position.

श्री राम सिंह भाई : घापातकालीन स्थिति में अधिकांश प्रतिष्ठानों के मंदिर सेवा-निवृत्त होने वाले श्रमिकों के स्थान की पूर्ति नहीं की जा रही है और मशीनें बन्द रखी जा रही हैं जिस से उत्पादन और रोजगार को हानि पहुँच रही है, उस की गणना घाप तालाबन्दी में करते हैं, ले-घाफ में करते हैं, किस में करते हैं यह बताने की कृपा करेंगे ?

SHRI RAGHUNATHA REDDY: This is about replacement in case of those who retire. I am not dealing with it.

MR. SPEAKER: Next question.

SHRI DINEN BHATTACHARYYA: The Minister himself made a statement in Calcutta that lockouts, closures and retrenchment are in-

crowding. Have he has come forward with some other statement.

MR. SPEAKER: He has not given that information here.

Police Dogs set on Indian traders in South Africa

+

*46. SHRI M. S. PURTY:
SHRI D. B. CHANDRA
GOWDA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether dogs were set on Indian traders in South Africa on July 13, 1976;

(b) whether the police blocked off a road leading to the trading area without giving the Indian traders sufficient time to vacate their shops; and

(c) if so the facts thereof and the reaction of Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). The individuals concerned are South African nationals of Indian origin and not Indian nationals. They were evicted forcibly when these traders did not vacate Page View in Johannesburg to move to Orient Plaza. According to our information, the South African Police used police dogs in this operation. It is, however, not known if the road in question was blocked by South African Police.

(c) The South African regime under the Group Areas Act had declared Page View as "White Area" and had ordered traders of Indian origin who had been having their residences-cum-shops there since a long time to vacate the area and move to "Orient Plaza", a new shopping complex built especially for traders of Indian origin. The deadline by which they were asked to

vacate Page View was 30th June, 1976. Reportedly as a result of the protest by the people, this deadline has been extended upto January 1977.

The Government of India has consistently condemned the policy of apartheid of the racist regime of South Africa. The South African regime was denounced in the Security Council by the Permanent Representative of India to the UN for its illegal racist activities in South Africa and in Namibia on 27th July, 1976. The Government is contributing to the UN and other international funds for the recent victims of the policy of apartheid in South Africa.

श्री एच० एन० पुरती : अध्यक्ष जी, दक्षिण अफ्रीका में भारतीय मूल के व्यापारियों के विरुद्ध जो कार्यवाही की गई है, पुलिस के कुत्तों को छोड़ कर उन्हें भगाने का प्रयास किया गया है यह भारत के लिए प्रतिष्ठा का सवाल है। मैं मंत्री महोदय से जानना चाहता हूँ क्या अफ्रीका सरकार ने भारतीय व्यापारियों को देश से निकालने के उद्देश्य से या भारत का विरोध करने के उद्देश्य से यह कार्यवाही की है तथा इस सम्बन्ध में भारत सरकार की प्रतिक्रिया क्या है ?

SHRI BIPINPAL DAS: I do not know what their motivation is. But the fact is that in pursuance of the policy of apartheid they are doing all this and we have strongly protested against this policy.

श्री रामचंद्रशेखर दत्तजी : अध्यक्ष जी, मेरे हाथ में आज का "टाइम्स ऑफ इंडिया" है। इसमें दिया है :

"Eviction of Indian traders continues"

एक इंसान मुझको मैं हवाले पड़ना चाहता हूँ

"Thousands of Indians have been uprooted from their homes and

businesses under the Act and forced to live in what they call segregated ghettos"

भाज भी यह चल रहा है कि बाबजूद इसके कि सरकार उसका विरोध कर रही है। भाज भी वहाँ के लोग इसके खिलाफ आवाज उठा रहे हैं फिर भी यह बात बक नहीं रही है। तो क्या वहाँ के लोग बिल्कुल निरौह की तरह अपना जीवन बितायेंगे या वहाँ की सरकार इस दिशा में कोई कारगर कदम उठाना चाहता है या उठाने का विचार रखती है ताकि उनके स्वार्थों की रक्षा की जा सके ?

SHRI BIPINPAL DAS: I have not said that the matter is over; the problem continues and will continue as long as the minority racist regime exists. The ultimate solution lies in bringing to an end the minority racist regime for which the people are struggling and we are helping them and supporting them by all possible means.

Indian Delegation to Dacca

+

*48. SHRI BIBHUTI MISHRA;

*48. SHRI M. KALYANASUNDARAM:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a high-powered Indian delegation had visited Dacca recently;

(b) whether the problem of Ganga Waters was discussed at length during the talk between the two delegations at Dacca; and

(c) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPALDAS): (a) Yes, Sir. A goodwill delegation led by Shri G. Parthasarathi, Chairman, Policy Planning Committee in the Minis-

try of External Affairs visited Dacca from June 18 to 22, 1976.

(b) and (c). Discussions between the two sides covered the broad spectrum of bilateral relations including the question of the sharing of Ganga waters during the lean season which took much of the time. The talks led to a useful exchange of views and both sides agreed to report the result thereof to their respective Governments. It was also agreed that the two Governments would remain in contact with each other on this and other issues.

श्री बिभूति मिश्र : अध्यक्ष जी, मैंदी ज ने दां जबाब दिए हैं। एक उन्होंने कहा है कि हमारा बाईलेट्रल सम्बन्ध क्या होगा तो हमारे वहाँ हाई कमिस्नर रहते थे जिन्होंने ऊपर चोट की गई और भाज भी जो द्वा पर भारतीय हैं उन पर चोट की जा रही है। इस सम्बन्ध में कई बार डेलिगेशन गए और कई बार छाये और दूसरी बात यह है कि गंगा के पानी के सम्बन्ध में जो पहले बंगलादेश की सरकार भी उसके साथ हमारा समझौता हो गया था तो फिर क्या कारण हुआ कि गंगा वाटर के बारे में फिर समझौता करने की बात आ गई ? इन दोनों बातों का मन्त्री जी अलग अलग जवाब दें।

SHRI BIPINPAL DAS: It is true that when the Bangladesh Prime Minister visited India in 1974, a joint declaration was signed by our Prime Minister and the late Mujibur Rahman, whereby it was agreed that this problem should be solved bilaterally, through negotiations and all that. And in 1975 we actually signed the agreement, as a result of which we decided to release some of the water to the feeder canals. Surprisingly, they have raised this question again. It was agreed in the Joint Declaration of the two Prime Ministers that this problem relates only to the lean season. Now they are saying that it will apply for the whole year. It is really surprising. We are trying to

find a solution to this problem through peaceful, bilateral means, in pursuance of our general policy.

श्री बिपूति बिज : मंत्री जी ने मेरे सवाल का जवाब नहीं दिया। जो भारतीय छात्र वहां रहते हैं, उनको छात्र भी खदेड़ रहे हैं तो इस सम्बन्ध में मंत्री जी ने जवाब नहीं दिया कि बाईसेंट्रल रिलिगन्स से क्या कर रहे हैं। छात्र भी हारे बंगाली भाई बंगलादेश में रहते हैं उनके सम्बन्ध में सरकार क्या कर रही है ?

SHRI BIPINPAL DAS: We have no such information that there is a deliberate move to drive away the Indians from there.

श्री बिपूति बिज : अध्यक्ष जी, ऐसा लगता है कि भारत सरकार निरीह हो गई है। इन्वेस्ट से भारतीय को हटाया जा रहा है, समुद्र में जो भारतीय काम करते हैं उनको भी विदेशी हटा रहे हैं। प्रकीका में जा भारतीय हैं उनको हटाया जा रहा है। बंगलादेश की परिस्थिति यह है कि गंगा के पानी का स्वसौता हो गया था लेकिन फिर समझौते की बात हो रही है तो मैं जानना चाहता हूँ क्या भारत सरकार स्वाधीनता के 27 वर्षों के बाद भी अपने को निरीह समझ रही है ? मारी दुनिया से हम लोगों को खदेड़ दिया जाय और मारा पीटा जाये बाहर बाप लोभ बराबर दौरा कर रहे हैं फिर इस सम्बन्ध में आप क्या कदम उठा रहे हैं ?

SHRI BIPINPAL DAS: We should be a little careful in expressing our views in this matter. While we must not minimise it, at the same time, we should not magnify it ourselves. Whenever such problems arise, we have to take them up with the Governments concerned and try to find a peaceful solution.

SHRI TRIDIB CHAUDHURI: Is it a fact that only a few days back our Government have received a communication on the Ganga water problem from the Bangladesh Government? If so, is the Minister in a position to give us any indication of what may be the nature of that communication? Further, there was a news in today's papers that our Foreign Minister and the Bangladesh Foreign Minister had met at Colombo. May I know whether there is any likelihood of the Ganga waters problem being discussed there?

SHRI BIPINPAL DAS: I do not think we should discuss the Ganga water problem there; it should be done bilaterally. Naturally other issues will come up for discussion. I do not know what Shri Chavan discussed last night.

So far as the first point is concerned, a communication has been received. This is in reply to our communication which we sent inviting a delegation from Bangladesh to visit Delhi in order to continue our discussion.

SHRI TRIDIB CHAUDHURI: Are they prepared to come?

SHRI BIPINPAL DAS: I am not prepared to divulge the details of this communication.

SHRI KRISHNA CHANDRA HALDER: May I know whether, when our delegation went to Dacca, they placed this demand before the Bangladesh Government that Calcutta port requires 40,000 cusecs of water in the lean period to make it navigable, and if so, what is the reaction of that Government, what reply has come from them?

SHRI BIPINPAL DAS: This was done several times before also, and this is precisely our point, that we have to save the Calcutta port, but

the details of the discussion naturally I am not in a position to disclose.

SHRI INDRAJIT GUPTA: While the declared policy of our Government to normalise relations with Bangla Desh is commendable, I would like to know whether the delegation led by Mr. Parthasarathy had also utilised this occasion to raise the question of the virulent anti-Indian propaganda which is being carried on in Bangla Desh by all the mass India, by Government sources and even by Brig. Gen. Zia-ur-Rahman who made a very anti-Indian speech at the recent Pan Islami Conference at Istanbul, and whether in the interests of normalisation of relations the Government of Bangla Desh would take every opportunity to try to see that this kind of baseless anti-Indian propaganda is stopped? What was the outcome if this was at all discussed?

SHRI BIPINPAL DAS: This was the most important point that we raised from our side. They say that will do whatever is possible, but we will raise the matter again that in spite of their assurance the thing continues. We have been raising this issue with them all the time. We are very sorry that in spite of the assurance given by them, the thing has not subsided.

SHRI PRIYA RANJAN DAS MUNSI: May I know whether during the visit of the Parthasarathy delegation the discussion was held between the various officials of our party and the official of the Bangla Desh Government, or the discussion was exclusively held below the dignity of our delegation with the Naval Chief of Bangla Desh and later on with Mr. Sayem and Mr. Zia-ur-Rahman? I would also like to know from the hon. Minister whether in the recent discussion the Bangla Desh officials pointed out that some of the points in the agreement between Sheikh Abdul Rahman and our Prime Minister, Shrimati Indira

Gandhi cannot be implemented at the movement and that they have kept them pending.

SHRI BIPINPAL DAS: We appoint our delegation and the leader of our delegation, they formally appoint their delegation and the leader of their delegation, and the two delegations discuss the issues. So far as the second point is concerned, I am not prepared to disclose the details.

Sanction of loan for Telecommunication Industry by World Bank

*49. **SHRI HARI SINGH:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the World Bank has recently sanctioned a loan of millions of dollars for telecommunication industry;

(b) if so, the facts thereof; and

(c) the plan according to which the money will be utilized?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) to (c). The World Bank has agreed to lend US \$80 millions for the Sixth Telecom. Project which is a part of the 5th Five Year Plan for Telecommunications. 55 millions US \$ are meant for procurement of raw materials and components for Public Sector Undertakings viz. Indian Telephone Industries, Hindustan Cables Ltd. and Hindustan Teleprinters Ltd. and P&T Factories, Telecommunications Research Centre, P&T Training Centres, and 25 million US \$ are for procurement of finished goods.

The loan will be utilised for development of telecommunications in the country according to the Telecommunications Plan approved by the Planning Commission.

श्री हरी सिंह : अध्यक्ष महोदय, मैं जानना चाहता हूँ—इस छठे टेलीकम्युनिकेशन प्रोजेक्ट को पूरा करने के लिये वास्तव में

कितने रुपये की जरूरत है और जो कच्चा बापके मास इस काम के लिये है तथा जो कच्चा बर्तन बैंक से मिला है, दोनों में कितना अंतर है ?

डा० शंकरदास शर्मा : जैसा मैंने अभी बताया—छठा टेलीकम्युनिकेशन प्रोजेक्ट हमारी पाँचवीं पंचवर्षीय योजना का एक हिस्सा है। इस योजना में बिदेसी मुद्रा का जो आवश्यकता रही नहीं थी, उसकी पूर्ति के लिये यह 80 मिलियन डॉलर का कर्जा मिला है जिसमें से 55 मिलियन डॉलर कच्चे भास पर खर्च होंगे और 25 मिलियन डॉलर का बना हुआ सामान लेंगे, यह सामान भी प्रायः ऐसा है जिसको इस्तेमाल कर के हम अपने यहाँ इक्विपमेंट बनायेंगे।

श्री हरी सिंह : आपने मेरे प्रश्न के (ब) भाग के उत्तर में कहा है कि इस धन से देश के अन्दर टेलीकम्युनिकेशन का विकास होगा। मैं जानना चाहता हूँ कि देश के किन हिस्सों में इस प्रोजेक्ट के अन्तर्गत कच्चा खर्च किया जा रहा है, कितना कच्चा खर्च किया जा रहा है तथा कहा-कहा पर खर्च किया जा रहा है ?

डा० शंकरदास शर्मा : अध्यक्ष महोदय, इस के अंकगण की लिस्ट बहुत लम्बी है, मैं इसको सबन की टेबिल पर रख देता हूँ।

Telephone Facilities to Villages

*50. SHRI R. S. PANDEY: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether there is a plan with the Government to provide telephone facilities in far-flung villages; and

(b) if so, the outlines thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL

SHARMA): (a) and (b). Places in remote localities not having a telephone exchange within a radius of 40 Kms. have been included in the Policy for provision of Long Distance Public Call Offices, subject to the anticipated revenue being at least 25 per cent of the Annual Recurring Expenditure for ordinary areas, 15 per cent for backward areas and 10 per cent for hilly areas.

SHRI R. S. PANDEY: The very idea of introducing this scheme to provide telephones to remote villages is very good. It is reported here in the newspaper:

"The telecommunication services in villages are being improved with a view to consolidating the infrastructure for faster agricultural and rural development."

This is a very good object, so far as improving the telecommunication services in order to consolidate the infrastructure is concerned. The Tele-Communications Department has invented a 'Ruralone' which will have no wire on the surface. Then what would be the source of current for that? Will the hon. Minister explain what exactly is it?

डा० शंकरदास शर्मा : हमारे रिस्चर्विंग ने हमारे देशान के इलाकों के लिये सेवा उपलब्ध कराने के लिये इसको डेवलप किया है। इसमें 15 किलोमीटर तक दो इक्विपमेंट लगाने पर एक जगह से दूसरी जगह बात हो सकती है। इसमें बैटरीज लगती हैं और दूसरे के मुकाबले खर्चा भी कम होता है। अभी हम इसको ट्राई कर रहे हैं, कहीं दूसरी बेब से कोई समझ तो नहीं पड़ता है। अभी तो यह ट्रायल स्टेज में है।

श्री एच० एम० मण्डली : यह बहुत अच्छी बात है कि गाँवों में टेलीफोन लगने, लेकिन क्या अभी महोदय इस बात का विचार

दिखावें कि कहर में जिस तरह के लोगों को टेलीफोन न करने पर भी बाध देना पड़ता है, हमारे रुपये का एरियर बच जाता है, पता नहीं कीन टेलीफोन करता है, ऐसा नाचों में नहीं होगा ?

अध्यक्ष महोदय : इनका कहना है कि क्या नाचों में एरियर तो नहीं बनेगा, जैसा यहां बत जाता है ।

डा० संकर दयाल वर्मा : वहां तो बहुत कम टेलीफोन किये जाते हैं ।

श्री परिपूर्णकाह वैष्णवी : मैं मंत्री महोदय से जानना चाहता हूँ कि भविष्य की योजनाओं तो आपके दिमाग में हैं, किन्तु हम समय जो वर्ततीय क्षेत्र हैं, ग्रामीण क्षेत्र हैं उनमें संचार व्यवस्था इनके समन्वयजनक ढंग से काम कर रही हैं कि न तो मुनाई देना है और न साइनें काम कर रही हैं, तो क्या वर्तमान साइनों को भी सुधारने का प्रावधान है ?

डा० संकर दयाल वर्मा : यह बात ठीक है कि जहां दूर तक लम्बी लाइन न जाने हैं वहां कई कारणों से, प्राकृतिक कारणों से तार गड़बड़ हो जाते हैं, बमों-कर्मों पेड़ गिर जाते हैं या और दूसरे कारण हो जाते हैं जिसकी वजह से हम को दिक्कत होती है क्योंकि वेहात में कभी दूर तक साइन न जाते हैं । कई जगहों पर खारू कर पर्वतीय और देहाती क्षेत्रों में खर्चा कम करने के लिये लकड़ी के पोल्स भी लगाये हैं । दूसरे पोल्स भी तेज हवा या पेड़ के गिरने से टूट जाते हैं, तार गड़बड़ हो जाते हैं । दूसरे कहीं-कहीं जब दूर तक तार जाता है तो तारों की चोरी भी हो जाती है । तो यह तमाम कारण हैं जो गड़बड़ पैदा करते हैं । लेकिन कोशिश है कि वेहात के क्षेत्रों में ज्यादा से ज्यादा सहूलियत हम पहुंचाये । जहां भी हमें शिकायत मिलती है उसे दूर करने का प्रयास करते हैं ।

MR. SPEAKER: Question Hour over.

WRITTEN ANSWERS TO QUESTIONS.

Effects of Atomic Radiation on People of Coastal areas of Kerala

*47. **SHRI VARKEY GEORGE.** Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the attention of the Government has been drawn to recent press reports which say that the slow process of atomic radiation in the coastal areas of Kerala affects the mental growth of the people living there; and

(b) if so, what remedies are being contemplated to save people from the hazards of atomic radiation?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) Yes, Sir.

(b) Further studies are required before a positive conclusion can be reached in this matter

Iron ore deposit in Bihar

*51. **SHRI SAROJ MUKHERJEE.**
SHRI G. P. YADAV:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Geological Survey of India reported that world's largest iron ore deposit is located in Chiria in Manohargarh District of Bihar; and

(b) if so, the time by which mapping, drilling, analysing of samples, etc., will be completed?

THE MINISTER OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): (a) Based on recent investigations, the Mineral Exploration Corporation have estimated reserves of

about 1,970 million tonnes of iron ore in the Chiria deposits in Singhbhum district of Bihar

(b) The field investigations now in progress are expected to be completed by the end of 1977.

Man-days lost during post-emergency period

*52. SHRI P. GANGA REDDY.
SHRI BHOGENDRA JHA.

Will the Minister of LABOUR be pleased to state

(a) whether there has been steep decline in the man-days lost in the post-emergency period; and

(b) if so, the man-days lost due to strikes and lock-outs in the first half of 1975, and in the post-emergency period upto June, 1976?

THE MINISTER OF LABOUR
(SHRI RAGHUNATHA REDDY):
(a) Yes, Sir.

(b) The number of man-days lost due to strikes and lock-outs during the first and second halves of 1975 and first half of 1976 (January to June 1976) was as follows:

Period	Mandays lost
	(in millions)
January—June 1975(P)	17.10
July—December 1975(P)	4.46
January—June 1976(P)	5.31

1* Provisional

Super Tanker Oil Terminal at Cochin Port

*53. SHRI C. H. MOHAMMED
KOYA:
SHRIMATI BHARGAVI THAN-
KAPPAN:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether long ago Government approved the project regarding construction of Super Tanker Oil Terminal at Cochin Port; and

(b) if so, the reason for the delay in taking up the construction work?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON) (a) and (b). In May, 1973 Government approved the location of a Super Tanker Oil Terminal in Bolghatty Cannal at Cochin Port instead of in Ernakulam Channel as approved earlier in April, 1970. The Detailed Project Report prepared by the Port Trust is now under consideration of Government.

Incidence of cerebral malaria in States

*54 DR. SARADISH ROY. Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether the attention of the Government has been drawn to cerebral malaria which threatens the entire population of Assam, Bihar, M.P., Andhra Pradesh, Orissa, Rajasthan, West Bengal, Gujarat and other parts of the country; and

(b) if so, the steps taken to prevent cerebral malaria?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) Yes, Sir.

(b) A statement indicating the steps taken to control malaria is laid on the table of the Sabha.

Steps taken by Government for Controlling Malaria

1. Increased quantity of various insecticides have been supplied to the States. Alternative insecticides are also being provided to the Units where the vector has become resistant to DDT.

2. Adequate drugs have been provided under the National Malaria eradication Programme and also made available through the trade channels. Where it is apprehended that the drugs may not reach through health staff, anti-malarials are being supplied through Panchayats and schools.

3. Drug resistance studies are being carried out to delimit the extent of the problem of Chloroquine resistance in *P. falciparum* cases and to determine the drug regime effective against the same. To combat the situation, quinine tablets ampoules have been supplied to the units required.

4. Modified Plan of Operation has been prepared. The existing units shall be re-organised.

5. Anti-larval operations under Urban Malaria Programme have been intensified.

6. Supervision of the field staff has been toned up.

Steel Prices

*55. SHRI M KATHAMUTHU
SHRI K. M. "MADHUKAR":

Will the Minister of STEEL AND MINES be pleased to state.

(a) whether some business circles have made a strong plea to Government for increasing the prices of indigenous steel; and

(b) if so, Government's reaction thereto?

THE MINISTER OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): (a) Presumably the refer-

ence is to the statement made by the Chairman of the Tata Iron & Steel Co. Ltd. while presenting the Annual Report for the year 1975-76.

(b) The Government do not propose to increase the price of indigenous steel, at present.

Central Legislation on Family Planning

*56. SHRI R. N. BARMAN;
SHRI RAM PRAKASH:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether it is a fact that Government propose to introduce a Central legislation on family planning;

(b) whether any decision in this regard has been taken;

(c) whether the present campaign lays more emphasis to deal with the Government employees; and

(d) if so, how the work is being done in rural areas?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) and (b). As announced in the National Population Policy Statement which was placed on the Table of the House on 26.4.76 the Government of India has decided not to bring in Central legislation for this purpose, at least for the time being.

(c) and (d). The Family Planning programme is being implemented with equal vigour in rural and urban areas and covers all sections of the population. Government employees will, of course, be required to set an example in the adoption of a small family norm.

Vasectomy and Sterilisation Operation

*57. SHRIMATI SAVITRI SHYAM. Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state.

(a) whether vasectomy operations and sterilisation operations and cases have been done more in various States during the last three months in comparison to the last three months of 1975;

(b) if so, the number of such operations done in various States during this period;

(c) what remuneration and exemptions are being given to the industrial workers, Government and semi-Government employees and the general public in various States and Union Territories for the same; and

(d) what contribution is being given by the Centre to the States?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) and (b). Yes, Sir. A statement is laid on the Table of the Sabha [Placed in Library. See No. LT-11049/76].

(c) A statement is laid on the Table of the Sabha [Placed in Library. See No. LT-11049/76].

(d) The entire expenditure on Family Planning Programme including compensation money for sterilisations ac-

cording to the prescribed scale is met by the Government of India.

Dialysers lying idle in hospitals at Delhi

*58. SHRI Y. ESWARA REDDY:
SHRI S. A. MURUGANA-
THAM:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Dialysers are lying idle for several years in Delhi hospitals;

(b) if so, the facts and reasons therefor, and

(c) whether Government have made any estimate of the number of kidney patients dying every year, because they are not dialysed in time?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) and (b). A statement is laid on the Table of the Sabha

(c) No patient is reported to have died in any of the Delhi hospitals for want of a dialyser. In the absence of a dialyser, patients are treated with peritoneal dialysis, a procedure which has been in use for many years and is reasonably satisfactory.

Statement

The present position of dialysers available in Delhi Hospitals is as under:

(1) All India Institute of Medical Sciences.	• 4 Units, all in working order.
(2) Safdarjung Hospital	• 1 Unit in working order. 3 Units out of order.
(3) Willingdon Hospital	• 1 Unit out of order. An order for a new unit is being placed.
(4) Irwin Hospital	• 1 Unit out of order and 1 unit is being installed.
(5) Hindu Rao Hospital	• 1 Unit has been installed. Necessary personnel to operate the machine are under training in All India Institute of Medical Sciences.

माध्यम से रोजगार में लगाए गए व्यक्तियों की संख्या इस प्रकार थी :—

पंजीकृत व्यक्तियों की संख्या 55.57 लाख

रोजगार में लगाए गए व्यक्तियों की संख्या 4.34 लाख*

*इनमें से पहले पंजीकृत व्यक्ति भी शामिल हैं। 1975-76 की अवधि के दौरान पंजीकृत व्यक्तियों में से रोजगार में लगाए गए व्यक्तियों के संबंध में अलग सूचना उपलब्ध नहीं है।

Payment of Minimum Wages to Labourers in Gujarat

295. SHRI P. M. MEHTA: Will the Minister of LABOUR be pleased to state:

(a) whether Gujarat is the only State where minimum wages are not being paid to the agricultural labourers;

(b) whether the farmers of Gujarat are still importing labourers on cheap rates from the neighbouring States; and

(c) if so, what action Government propose to take to ban the importing of labourers and pay minimum wages to the farm labourers and as well as other labourers?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): The State Government have reported as follows—

(a) By and large minimum wages are being paid to the agricultural labourers in Gujarat.

(b) There is no ban on the coming of outside labour within the State. But agricultural labourers whether from the State or outside, are required to be paid not less than the notified minimum wages.

(c) At the instance of the State Government an understanding has been reached between farmers and agricultural labourers that local labour would be given preference in employment and outside labour would be taken only if shortage of local labour was felt. Tripartite taluka level committees are being constituted to supervise the implementation of this understanding and also the payment of minimum wages.

Racial Discrimination in U.K and South Africa

296. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any effort has been made by Government to mobilise the world opinion against racial discrimination in U.K and also oppression to the Indian and other black people in South Africa very recently; and

(b) if so, a brief account of the activities of the External Affairs Ministry in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS) (a) and (b). The Government of India has been in constant touch with the British Government in regard to recent incidents of racial tension in Britain. Our High Commission in Britain has also maintained close contact with the Bangladesh and Pakistan missions in London in order to coordinate their approach in this matter.

The Government of Britain has reaffirmed its commitment to a policy of racial equality. A revised Race Relations Bill, which is now under consideration of the British Parliament, envisages stronger measures against racial discrimination.

Recent development in South Africa are neither new nor unexpected. Exploitation of and discrimination against the black and the coloured population by the racist minority regime is an integral feature of the South Africa Government's hated policy of apartheid.

The Government of India has raised its voice repeatedly against the apartheid policy of South Africa at the United Nations and elsewhere. India is supporting, materially and morally, the Regional Office of the African National Congress for Asia in New Delhi. The Government is also contributing materially to various U.N. Funds to assist the victims of apartheid and to fight the policy of apartheid.

Bonded Labourers

297. SHRI SOMNATH
CHATTERJEE:
SHRI VAYALAR RAVI:

Will the Minister of LABOUR be pleased to state:

(a) the State-wise number of bonded labourers identified so far;

(b) the State-wise number of bonded labourers provided with gainful alternative employment;

(c) whether it has been alleged that without alternative sources of employment, many freed bonded labourers have gone back to their old masters; and

(d) if so, the facts thereof?

THE DEPUTY MINISTER IN THE
MINISTRY OF LABOUR (SHRI BAL-
GOVIND VERMA): (a) The State-wise
number of bonded labourers identi-
fied so far available:—

Andhra Pradesh	826
Bihar	581
Karnataka	33,584
Madhya Pradesh	243

Orissa	288
Rajasthan	4,974
Tamil Nadu	2,416
(out of 8000 Panias identified)	
Uttar Pradesh	31,000

(b) State-wise available information:—

Andhra Pradesh.—675 bonded labourers provided with gainful alternative employment as Talayaries village servants and 23 assigned land and house-sites. Collectors are taking effective steps for rehabilitation of remaining freed bonded labourers.

Bihar.—To 581 families of bonded labourers, 19 acres of land have been restored to them and they have got debt relief of Rs. 36,114. 376.65 acres of Gaumazarua land have been settled with 376 freed bonded labour families.

Orissa.—3 employed in Regional Marketing Cooperative Societies.

Rajasthan.—1394 bonded labourers rehabilitated have been allotted 6703 Bighas 11 Biswas agricultural land and 13 persons were given employment at Rajasthan Canal. 28 persons have been given loan of Rs. 32,400/- by the State Bank of Bikaner and Jaipur and Baroda Bank.

Tamil Nadu.—432 families assigned with cultivable lands, 179 families provided with subsidiary farming assistance—State Bank of India sanctioned Rs. 5 lakhs to 250 ex-bonded labourers in Coimbatore District for productive ventures. Rs. 1 lakh sanctioned to for South Arcot District for settlement of freed labourers.

U. P.—2498 freed bonded labourers of District Dehradun have been allotted 2485.39 acres of land for agriculture and advanced loans amounting to Rs. 1,31,430 for pur-

chasing agri-inputs, a sum of Rs. 1,05,200 has also been advanced to labourers by Cooperative and Commercial Banks for the purpose of agricultural and cattle rearing.

(c) According to the available information received from Andhra Pradesh, Bihar, Orissa, Rajasthan, Tamil Nadu and Uttar Pradesh—no such complaint/allegation received by the State Governments.

(d) Does not arise.

Proposal for Separate Passport Office for Madhya Pradesh

**298. DR. SANKATA PRASAD:
SHRI LALJI BHAI:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a large number of applications for issue of international passports are pending at the Regional Passport Office, Lucknow;

(b) whether the Regional Passport Office at Lucknow is incapable of meeting demands from Uttar Pradesh and Madhya Pradesh;

(c) whether a large number of applications is received from Madhya Pradesh and the quantum of work requires a separate Regional Office for Madhya Pradesh; and

(d) whether Government propose to establish a separate office for Madhya Pradesh?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Due to sharp and sudden increase of new passport applications, there has been increase in number of pending cases.

(b) No, Sir. The Government are, however, strengthening the Regional Passport Office at Lucknow to enable it to meet the increasing demands expeditiously.

(c) and (d). The volume of work originating from Madhya Pradesh at

present does not justify opening of a separate office in Madhya Pradesh.

Regional Telecom Training Centres in the Country

299. PROF. NARAIN CHAND PARASAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number and names of regional Tele-com Training Centres in the country alongwith their locations and the main types of courses being offered at each one of these centres;

(b) whether it is proposed to set up new regional Tele-Com Training Centres in view of the rapid expansion in the Tele-com net-work in the country; and

(c) if so, the likely date by which the new Training Centres would be set up and proposed sites of the new centres?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) There are 14 Regional Telecom Training Centres in the country at Ahmedabad, Bangalore, Bombay, Calcutta, Hyderabad, Madras (Telecommunication Circle), Madras (Telephones District), Meerut, Nagpur, Nasik, Patna, Rajpura and Trivandrum. The main type of courses conducted in these Training Centres are for the Junior Engineers, some other courses are also conducted as indicated in the attached Statements.

(b) At present, both the existing and the planned training capacity for the Junior Engineers, etc. to be trained in the Regional Telecommunication Training Centres is quite adequate to meet the needs of the Fifth Five Year plan and the early Sixth Five Year plan and as such there is no proposal for opening additional Regional Telecommunication Training (RTTCs) Centres (RTTCs) in the country

(c) Does not arise.

Statement

Statement indicating the geographical location of the 14 R.T.T.Cs. and type of courses conducted in each RTTC.

Sl. No.	Geographical Location of RTTC (Regional Telecom. Training Centres)	Types of courses conducted
1.	Jabalpur	1. Initial training to ADE's T (P), TTS Class II & III, JEs, Wireless Operators & Wireless Technicians etc. 2. Refresher training to DEs AES JEs in switch room, Crossbar switching, microwave systems, coaxial cables Transistor techniques, UHF VHF, maintenance techniques, in Crossbar local exchanges, maintenance of Hindustan Teleprinters, JE Wireless Techniques etc. 3. Short term courses for DE's and above in crossbar Telephony, coaxial techniques, Microwave systems etc.
2.	Tiruvandrum	1. Initial training to JE's & TTS Class III. 2. Refresher training to AEs JEs AEs in crossbar switching and SDOT Refresher course.
3.	Calcutta	1. Initial training to JEs. 2. Refresher course for AEs JEs AEs in ACSR Wire installation. 3. Initial training to JEs. 4. Refresher training to SDOs, JEs in ACSR Wire installation.
4.	Bombay	
5.	Madras (Tele. Distt.)	
6.	Bangalore	
7.	Madras (Telecom. Circle)	1. Initial training to JEs. 2. Refresher training to JEs Technicians in maintenance of Hindustan Teleprinters.
8.	Nagpur	1. Initial training to JEs.
9.	Ahmedabad	
10.	Hyderabad	
11.	Patna	
12.	Nasik	
13.	Meerut	
14.	Rajpura	

Capacity Utilisation in Steel Units

300. **SHRI S. R. DAMANI:** Will the Minister of STEEL AND MINES be pleased to state:

(a) capacity utilisation achieved in the first quarter of the current year in the different steel units and how it compares with figures of the last year for similar period; and

(b) the unit-wise targets of production set for the current year?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The following table indicates the capacity utilisation achieved in terms of saleable steel in the integrated steel plants at Bhilai, Durgapur and Rourkela and of TISCO and IISCO in the first

quarter of 1976-77 and in the corresponding period of last year:—

Plant	%capacity utilisation April to June, 1976-77	%capacity utilisation April to June, 1975-76
Bhilai . . .	94.2	77.6
Durgapur . . .	70.4	47.8
Rourkela . . .	83.9	55.8
TISCO . . .	91.7	89.1
IISCO . . .	64.5	59.5
TOTAL . . .	83.9	68.5

At Bokaro Steel Plant, some of the units of 1.7 million tonnes stage have still to be commissioned.

(b) The plant-wise targets of production of saleable steel for 1976-77 are indicated below:—

(In '000 tonnes)

Plant	Target for 1976-77
Bhilai	1830
Durgapur	825
Rourkela	1050
TISCO	1500
IISCO	540
Bokaro	720
TOTAL	6465

पश्चिम रेलवे में ठेकेदारों द्वारा मजदूरों को काम मजदूरी दिया जाता

301. श्री कृष्ण लाल कच्छावाय : क्या अब मंत्री 6 मई, 1976 के जनार्दन प्रश्न

संख्या 2392 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या जानकारी इन बीच एकत्र कर ली गई है ;

(ख) यदि हाँ, तो तत्सम्बन्धी मुख्य बातें क्या हैं ; और

(ग) यदि नहीं, तो जानकारी कब तक एकत्र कर ली जाएगी ?

अब मंत्रालय में उप मंत्री (श्री बल-गोविन्द वर्मा) : (क) से (ग) लोक सभा के जनार्दन प्रश्न संख्या 3392 में माँगी गई सूचना उन कम्पनियों, ठेकेदारों आदि की संख्या से संबंधित थी जो पश्चिमी रेलवे में माल सम्बन्धी बैगनों से सामान उतारने का ठेका लेते हैं, यह पूछा गया था कि क्या इन ठेकेदारों के मजदूरों को कम मजदूरी आदि का भुगतान किया जा रहा है। रेल मंत्रालय (रेलवे बोर्ड) द्वारा उपलब्ध कराई गई सूचनानुसार, पश्चिमी रेलवे में 31 प्लॉटों को माल, पार्सल कोयला आदि को उतारने के लिये ठेकेदारों द्वारा नियोजित किए गए व्यक्ति द्वारा ठेकेदारों द्वारा कम मजदूरी आदि के सम्बन्ध में रेलवे को कोई शिकायतें नहीं की गई हैं। रेलवे द्वारा माल उतारने के लिये से सम्बन्ध रखने वाले आचरणक व्यवस्था की गई है जिसके अनुसार माल उतारने के लिये ठेकेदारों द्वारा ठेका श्रम (विनियम 17 सम्मिलित) अधिनियम, 1970 के उपबन्धों का अनुपालन करना अपेक्षित है।

Konkan Steamer Passenger Service

302. PROF. MADHU DANDAVATE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is a proposal that the Maharashtra State Transport would run the Konkan Steamer Service;

(b) if so, whether the Maharashtra Government have expressed their willingness to implement the proposal; and

(c) whether the Maharashtra Government have suggested that Government of Goa should partly share the burden of loss on the Konkan Steamer Passenger Service from Bombay to Goa?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) No, Sir.

(b) Does not arise.

(c) Financial arrangements under which the losses incurred in the operation of the service could also be shared by the State Government of Maharashtra and Goa Administration are under consideration in consultation with them.

Minimum Wages for Labourers in Clay Mines etc.

303. DR. LAXMINARAIN PANDEYA, Will the Minister of LABOUR be pleased to refer to the reply given to Unstarred Question No. 3400 on the 6th May, 1976 and state:

(a) whether the draft proposals regarding minimum wages of the labourers working in China clay and fire clay mines and other similar mines have since been finalised, and

(b) if so, the further action being taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Notifications fixing or revising minimum rates of wages have been issued in respect of employments in the following classes of mines:—

China clay, clay, white clay, chromite, copper, gypsum, barytes, bauxite, manganese and mica.

Minimum Wages in respect of employments in the following classes of mines are expected to be notified soon:—

Fire clay, stone, kyanite, steatite (including soap stone & talc), ochre & asbestos.

Shipping of Foreign Cargo in Indian Vessels

304. SHRI VASANT SATHE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the shipping magnates in USA and other Western countries have decided to boycott their national vessels if they ship their cargo by Indian vessels;

(b) if so, facts thereof;

(c) the reaction of Government on this move; and

(d) the steps taken/proposed in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) No such development has been brought to the notice of the Government of India.

(b) to (d). Do not arise.

Educated Unemployed Benefited under National Apprenticeship Scheme

305. SHRI VAYALAR RAVI: Will the Minister of LABOUR be pleased to state

(a) the total number of educated unemployed benefited by the National Apprenticeship Scheme under the 20 Point Economic Programme and its State-wise break-up; and

(b) whether Government propose to increase the number of apprentices under this scheme and if so, the features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL-GOVIND VERMA): (a) The number of trade apprentices (whose prescribed minimum educational qualifications vary from Fifth Standard to Matriculation according to trades) increased from 69,236 at the end of June, 1975 to 1,40,688 as on 31-7-1976. State-wise break-up is given in Statement—I laid on the Table of the House [Placed in Library. See No. LT-11050/76]. In addition, 12,864 Graduate Engineers and Diploma Holders were also engaged as apprentices under the Act during this period. (State-wise break-up given in Statement—II laid on the Table of the House. [Placed in Library. See No. LT-11050/76].

(b) Since the announcement of 20-Point Economic Programme, Apprentices Act has been extended to cover 15 more industries and 43 new traders bringing the total number of industries and trades to 216 and 103 respectively. Similarly, 57 fields of training have been specified under the Act to train Graduate Engineers/Diploma Apprentices. Instructions have been issued to the Apprenticeship Advisers to locate and utilise the maximum number of seats for apprentices in all the designated trades.

Abolition of Child Labour

306. SHRI R. K. SINHA: Will the Minister of LABOUR be pleased to state:

(a) whether the 1973 I.L.O. Convention provided abolishing labour by children below 14 years;

(b) whether Government have set up a working group to decide on a national Children's Code laying down minimum standards and norms governing employment of children in various sectors and avocations; and

(c) when a decision is likely to be taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL-GOVIND VERMA): (a) The Minimum Age Convention of the I.L.O. (Convention 138) provides *inter alia* and subject to certain conditions and exceptions, for a minimum age ranging from 12 to 18 years for admission to employment or work, depending on the type of such employment or work.

(b) and (c). A working Group on the Employment of Children has been set up by the Department of Social Welfare. The Working Group has not yet submitted its report.

Manufacture and Sale of Adulterated Drugs

307 SHRI SHASHI BHUSHAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) how many cases of manufacturing and sale of adulterated drugs have been unearthed since the proclamation of Emergency; and

(b) State-wise position of such cases?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). A statement is laid on the Table of the House [Placed in Library. See No. LT-11051/76]

Problem of Baby Boom

308. SHRI R. P. DAS: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether India has ever faced the problem of "baby boom" as in Europe and other countries during mid-sixties;

(b) if so, what step the Government has taken so far to plan and tackle this "young society"; and

(c) the size of this young society and opportunities available to them?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No. India has never faced the problem of "baby-boom" as of Europe and other countries. In fact the birth rate in India has declined from 41 in 1961 to about 35 in 1975 per thousand of population.

(b) Does not arise.

(c) Does not arise.

Co-operation with Iran

309. SHRI BIBHUTI MISHRA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) to what extent upto now India and Iran have been able to co-operate; and

(b) how far the co-operation has been fruitful?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). Indo-Iran relations are characterised by friendliness, understanding and co-operation. India and Iran have similar positions on many international issues. Regular exchanges of high-level visits have enabled a continuing dialogue to be maintained, and both governments have reiterated their desire to further expand and consolidate the co-operation between the two countries.

Economic and technical co-operation and commerce have expanded rapidly in recent years. The Kudremukh Project and Irano-Hind Shipping Company are major examples of Indo-Iranian economic co-operation.

Mysterious Death on Ship

310. SHRI D. K. PANDA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Central Bureau of Investigation has received complaints from Mrs. Jyotsna Mishra wife of Mr. Sadhan Kumar Mishra who died mysteriously on ship 'M.T. Aryadoot' of Varun Shipping Co. on 30th May, 1973;

(b) if so, whether C.B.I. has investigated into the matter; and

(c) if so, the findings thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes, Sir.

The Central Bureau of Investigation had received a complaint from Shrimati Jyotsna Mishra wife of late Shri Sadhan Kumar Mishra, Chief Officer m.v. "Aryadoot", but no enquiry was made by them into the matter and the complaint was forwarded, in original, to this Ministry on 21-9-1974 for disposal.

(b) No, Sir.

(c) Does not arise.

Sangli Telephone Exchange

311. SHRI ANNASAHEB GOTKHINDE: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are considering a proposal for diversion from elsewhere for 300 lines, i.e., from 2100 to 2400 lines for Sangli Telephone Exchange, Maharashtra so that a major portion of the general waiting list will be cleared; and

(b) if so, the decision taken thereon?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). Orders have been issued for diversion of 600 lines of auto equipment to Sangli exchange.

People suffering from T.B.

312. SHRI M. RAM GOPAL REDDY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government's attention has been drawn to the reported news item that 8 million Indians suffer from T.B.; and

(b) if so, the reasons for giving low priority to tuberculosis control in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) It is not correct to say that tuberculosis control in the country has been given a low priority. T.B. has been recognised as one of the major diseases in the country, and a Centrally Sponsored National Programme for its control is already in operation. Subject to the overall availability of funds for the public Health Programmes, necessary funds are being provided for T.B. Control.

Educated Unemployed

313. SHRIMATI BHARGAVI THAN. KAPPAN: Will the Minister of LABOUR be pleased to state:

(a) the number of educated unemployed persons in various States of the country up-to-date, State-wise; and

(b) the main features of the scheme formulated to provide employment opportunities to them?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL. GOVIND VERMA): (a) Precise estimates in regard to the number of educated unemployed are not available. The available information relates to the number of educated job-seekers (all of whom are not necessarily un-

employed) on the Live Register of Employment Exchanges as on 31-12-1975 which is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-11052/75].

(b) Bulk of employment opportunities to the educated unemployed would be provided during the Fifth Five Year Plan through the implementation of Plan programmes in different sectors, such as agriculture, irrigation, power generation, command area development of major irrigation systems, small and medium industries, social services, trade, commerce and other tertiary and allied activities. Under the 20-Point Economic Programme, one of the measures taken to increase employment opportunities for educated young people is the vigorous implementation of the Apprentices Scheme, including the graduate engineers and diploma-holders.

Location of new Shipyards

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT be pleased to refer to the reply given to Starred Question No. 69 on 11th March, 1976 and state the progress made in taking a decision for locating new shipyards?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): The matter is still under examination.

Impact of improved relations with neighbouring countries

315. SHRIMATI PARVATHI KRISHNAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the impact of our improved relations with Pakistan and China on the imperialist countries;

(b) how far this has generated an atmosphere to enhance the idea of Asian security and making Indian Ocean a nuclear-free zone; and

(c) the steps taken in that direction?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The up-grading of relations between India and China to the Ambassadorial level and the resumption of diplomatic relations between India and Pakistan have been generally received and commented upon in favourable terms around the world.

(b) and (c). These developments are entirely in line with India's consistent policy of improving and strengthening bilateral relations with her neighbours with the object of furthering the cause of peace and stability in the Asian region including the cause of making the Indian Ocean region a zone of peace.

Chicken-pox in Punjab

316. SHRI AJIT KUMAR SAHA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the attention of Government has been drawn to the spreading of chicken-pox epidemic in Punjab; and

(b) if so, what steps have been taken to eradicate this epidemic?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) Chicken-pox is a mild infectious disease and except for the isolation of the patient, there are no other steps, which can be taken to control/eradicate the disease.

The Government of Punjab have promulgated temporary regulations under the Epidemic Diseases Act, 1897, to deal with the chicken-pox epidemic. The disease has been declared as notifiable and the inspecting officers have been empowered to enquire, inspect, examine and isolate any person suspected to be suffering from chicken-pox.

Economic Summit Conference in Puerto-Rico

317. SARDAR SWARAN SINGH SOKHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India was invited by U.S.A. to attend the Economic Summit Conference in Puerto-Rico held in June, 1976; and

(b) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). No, Sir. The Economic Summit Conference in Puerto-Rico was called by the United States in June, 1976 and several of industrialised countries of West Europe, Japan and Canada were invited. No developing country was invited to participate.

Prime Minister's Visit to G.D.R.

318. SHRIMATI ROZA DESHPANDE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) how far the Prime Minister's visit to G.D.R. has strengthened ties of friendship between the two countries; and

(b) the main features of the joint declaration at the end of the visit?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The Prime Minister's visit to G.D.R. has made a significant contribution to the strengthening of the ties of friendship, understanding and cooperation between the two countries.

(b) The notable feature of the Joint Communique issued at the end of the visit is the identity or closeness of approach of the two countries on important International problems and their desire to further develop and expand bilateral relations and cooperation.

Gold deposits in Andhra Pradesh

319 SHRI K SURYANARAYANA Will the Minister of STEEL AND MINES be pleased to state

(a) whether new gold deposits have been found in Andhra Pradesh, and

(b) if so, the facts thereof and action taken by Government to extract the deposits?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) Yes, Sir

(b) In two zones 100 and 400 metres long in Malappakonda area of Chittoor district gold has been found in two bore holes. In one bore hole there were 3 zones, 1.24, 1.24 and 2.13 metres wide having gold content 12.4, 5.68 and 5.09 gram respectively per tonne of rock. In the other hole a number of thin zones were found to contain gold varying between 0.5 and 5.6 grammes per tonne of rock. Investigation work is still in progress and thus the question of extraction of the metal at this stage does not arise.

Survey of Man-power Requirements

320 SHRI DHAMANKAR Will the Minister of LABOUR be pleased to state

(a) whether any surveys have been undertaken of the man-power requirements of Industry as also to avoid man-power bottle-necks and to guide the youths into productive channels of employment,

(b) if so, the fields in which the studies have been made and evaluation done and with what results and

(c) how far the Studies conducted and surveys made are likely to help in introducing appropriate remedial measures?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL-

GOVIND VERMA): (a) to (c). In pursuance of the recommendations of the Dantwala Committee, the Directorate General of Employment and Training has been conducting Industry Surveys since 1972. The main objectives of these surveys are—

- (i) to study the manpower situation in specific Industries which are vital from the point of view of development and employment creation, and
- (ii) to anticipate the manpower requirements of these Industries well in advance, so as to guide the Youth into productive channel of employment and to gear the training programmes to the manpower needs of Industry. So far three Industries viz (1) Fertiliser (2) Drugs & Pharmaceuticals and (3) Cement have been studied. Among other things the studies have revealed that annual additional manpower requirements in these industries during the next few years are likely to be as follows

Fertiliser	—	4,000
Drugs & Pharmaceuticals	—	14,000
Cement	—	3,300

These reports have been circulated inter alia to various Central Government Departments and State Governments as also to concerned Organisations dealing with Training Programme and Manpower Planning for taking suitable measures.

Quick Transmission of Messages in Karnataka

321 SHRI K MALLANNA Will the Minister of COMMUNICATIONS be pleased to state

(a) whether a novel scheme of facilitating quick transmission of messages and cutting down the delay is going

to be introduced in the State of Karnataka; and

(b) if so, the outlines thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). A scheme is proposed to be tried on an experimental basis. The scheme envisages the introduction of teleprinter concentrators in Karnataka Circle. However, the scheme is not novel. The teleprinter concentrator boards will be installed at certain telegraph offices to save space and teleprinter machines.

Indo-Soviet Shipping Agreements

322. **SHRI ISHAQUE SAMBHALI:**
SHRI D. B. CHANDRA GOWDA:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether two agreements were signed between Shipping Ministers of India and Russia at Odessa and New Delhi, respectively; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) A Revised Agreement on Merchant Shipping between India and the USSR was signed in New Delhi by the Ministers in charge of shipping in both the countries. No Ministerial level agreement was concluded in Odessa.

(b) The new Agreement on Merchant Shipping will, when it comes into effect, replace the existing Agreement concluded in 1956. It will cater to the transport of trade on the basis of equality and parity in cargo liftings and freight earnings from all the ports in the Soviet Union to Indian ports excepting those ports in the two countries not open to the entry of foreign vessels and also of dry bulk and liquid cargoes besides general cargo. The Agreement also contains a provision for setting up of an Inter-Governmental machinery for overseeing its working besides the usual Articles dealing with

the extension of the most-favoured-nation treatment to the vessels of one country at the ports of the other, facilities to seamen etc.

Abolition of Bonded Labour System in U.P.

323. **SHRI KRISHNA CHANDRA HALDER:** Will the Minister of LABOUR be pleased to state:

(a) whether Government's attention has been drawn to the prevailing bonded labour system in the Meneri Bhal Hydro Electric Project in Uttar Kashi of U.P. and

(b) if so, what action has been taken by Government to abolish this system?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The System of bonded labour has already been abolished by a Central Law with effect from 25th October, 1975

Status of Social workers in Delhi Hospitals

324. **SHRI BIRENDER SINGH RAO:**
DR. RANEN SEN:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to refer to the reply given to Unstarred Question No. 422 on the 11th March, 1976 regarding social workers in hospitals of Delhi/New Delhi and state:

(a) what action is being taken to increase the number of social workers of hospitals of New Delhi/Delhi;

(b) whether there is any proposal to raise the status of social workers and if so, the nature thereof; and

(c) what steps Government propose to undertake to improve the condition of poor patients which is the social workers prime responsibility in the light of the 20-point Economic Programme of the Prime Minister?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) In the Municipal Corporation of Delhi, the number of Social Workers have been increased from 5 to 6. It is also proposed to have one more Social Worker in Dr. Rajendra Prasad Centre for Ophthalmic Sciences, New Delhi (A.I.M.S.)

(b) There is no proposal under consideration at present

(c) To improve the condition of patients, the Government have taken several steps like increasing the O.P.D. facilities by the opening of Evening O.P.D.s and by providing better facilities to the in-patients

Production of Aluminium

325. SHRI YAMUNA PRASAD MANDAL
SHRI K. M. MADHUKAR:

Will the Minister of STEEL AND MINES be pleased to state

(a) whether there is a proposal to increase the production of aluminium in the country; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). The objective has always been to step up aluminium production by utilising the installed capacities as fully as possible. However, owing to severe power cuts imposed on the aluminium smelters in the years 1973-74 and 1974-75, production was low.

As a result of a comprehensive study of the problems relating to the aluminium industry undertaken in the first half of 1975, an integrated aluminium policy was introduced from July 15, 1975, which included a rationalised power tariff for the aluminium industry. Following this and

the favourable monsoon which resulted in increased power generation, power availability to aluminium smelters significantly improved in 1975-76, resulting in capacity utilisation in aluminium smelters increasing to 88 per cent and a break-through in aluminium production in that year.

Accord with Poland

326. SHRI RAM PRAKASH.
SHRI RAMAVATAR SHASTRI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether an accord with Poland has recently been concluded; and

(b) if so, the facts thereof and the benefits likely to accrue?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) A Protocol was concluded after the third meeting of the Indo-Polish Joint Commission for Economic, Trade, Scientific and Technical Cooperation held in Warsaw from May 30 to June 3, 1976.

(b) India and Poland have agreed to expand cooperation for the development and modernisation of coal mines in India. Polish side will extend assistance in the organisation for training of technical and higher supervisory staff designing and development of washeries and also for setting up of fire safety and rescue organisations.

A. regards industrial cooperation, the fields which were identified include chemical industry, fish processing plants, building material industry, electronics and telecommunication equipment. Both sides stressed the need for developing cooperation in third countries, especially in the field of machine tools. It was also agreed to conclude contracts for the supply of special types of vessels by Poland to India.

Abolition of "Dadan" labour system in Orissa

327. SHRI DINESH JOARDER:
Will the Minister of LABOUR be
pleased to state:

(a) whether the attention of Gov-
ernment has been drawn to the pre-
vailing of "dadon" labour system in
Orissa;

(b) if so, the facts thereof; and

(c) the steps taken to abolish the
system?

THE DEPUTY MINISTER IN THE
MINISTRY OF LABOUR (SHRI BAL-
GOVIND VERMA): (a) to (c). The
matter is under examination.

प्रधान मंत्री की कस की धारा

328. श्री राजवत्तार छात्रजी :
श्री सी० के० चन्द्रधन :

क्या विदेश मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या इन के सहोदर के दौरान
भारत के प्रधान मंत्री की कस यात्रा को समूह-
पूर्व सज्जता मिली है ;

(ख) क्या दोनों देशों के बीच व्यापारी
निर्वाह और सहयोग को प्रगाढ़ बनाने के
लिये कोई नया समझौता हुआ है ; और

(ग) यदि हाँ, तो उसकी मुख्य बातें
क्या हैं ?

विदेश मंत्रालय में उपनंत्री (श्री विपिन
पाल दास) : (क) जी, हाँ।

(ख) और (ग) . प्रधान मंत्री की
यात्रा की समाप्ति पर भारी की गई भारत-
मोक्षित संयुक्त बोधना में यह बताया गया
है कि पारस्परिक निर्यात और सहयोग को
सुदृढ़ करने के लिए क्या-क्या कदम और
1318 L.S.—3

उठाने पर सहमति हुई है। इसकी विशेष-
ताएँ हैं—दोनों देशों के नेताओं के बीच बैठकों
के आयोजन, वार्षिक सहयोग, व्यापार
वैज्ञानिक एवं तकनीकी सहयोग तथा
संस्कृति कला, साहित्य जैसे अन्य क्षेत्रों में
सहयोग करने की पहल से विद्यमान सुदृढ़
परम्परा को भारी रीढ़ देने तथा उसे और
अधिक मजबूत करने का दोनों पक्षों का
निर्णय।

Bilateral Co-operation with Pakistan

329. SHRI RAGHUNANDAN LAL
BHATIA:
DR. LAXMINARAYAN
PANDEYA:

Will the Minister of EXTERNAL
AFFAIRS be pleased to state:

(a) whether the recent talks at
Islamabad between India and Pakis-
tan have led to a proper climate of
understanding;

(b) whether an era of fruitful co-
operation between the two countries
has started as a result of these talks;
and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI BIPINPAL DAS): (a) to (c).
The talks between India and Pakis-
tan held at Islamabad from May 12
to 14, 1976, resulted in Joint State-
ment which provided for the restora-
tion of communications between the
two countries, the widening of trade
relations, and the resumption of dip-
lomatic relations. Agreement for the
restoration of rail links, and air links
and overflights, were signed on June
28 and July 16, 1976 respectively. The
Private sector was allowed to partici-
pate in trade between the two coun-
tries with effect from July 15, 1976.
The ambassadors of the two countries
have taken up their respective posi-
tions.

The Government of India is hopeful that these steps which have been taken in implementation of the Simla Agreement would lead to fruitful co-operation between the two countries.

Views of the Director of National Malaria Eradication Programme about the incidence of Malaria

331 SHRI SAMAR MUKHERJEE Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether Government are aware that according to Dr S. Patnayak, Director of the National Malaria Eradication Programme, a programme to bring the malaria incidence down to the 1967 level would cost Rs 80 crores when the Union Health Ministry's entire budget is only Rs 57 crores, and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K M ISHAQUE) (a) and (b) Yes the Government have drawn up a revised plan for controlling malaria through the strategy of selective containment within the available resources

Dry Docks at Visakhapatnam and Calcutta

332 SHRI TRIDIB CHAUDHURI Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether the Planning Commission and the Ministry of Shipping have cleared the proposals for two new Dry Docks, one at Visakhapatnam and the other at Calcutta, for meeting the increased needs of ship-building industries, centred at these two ports; and

(b) the likely time and date when the construction of these two proposed Dry Docks could be taken in

hand and the estimated costs for each?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI).

(a) and (b) The proposals are at present under examination. The cost of construction of a Ship Repair Complex at Visakhapatnam has been estimated at Rs. 40 crores (approx) and that of a Dry Dock at Calcutta at Rs 8 crores (approx). Time of construction can be indicated only after the projects are approved.

Import of outdated cables from Canada for Telephone Lines

333 DR RANEN SEN Will the Minister of COMMUNICATIONS be pleased to state

(a) whether outdated cables for telephone lines have been imported from Canada recently and which are not suited to Indian conditions; and

(b) if so, the steps taken thereon?

THE MINISTER OF COMMUNICATIONS (DR SHANKER DAYAL SHARMA) (a) Cables were imported from Canada against orders placed in 1971 and 1972 according to accepted specifications and after carrying out necessary tests in the manufacturers' premises

(b) Does not arise

Tour of South-East Asia by Deputy Foreign Minister

334 SHRI C K CHANDRAPPA Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Deputy Foreign Minister had a tour of four countries in the South-East Asian region to explore further avenues for strengthening the bilateral ties with them;

(b) if so, the facts thereof; and

(c) the response of these countries?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). Yes Sir. The Deputy Foreign Minister paid a visit to Thailand, Malaysia, Singapore and Philippines between June 15 and June 24, 1976. In his discussions with leaders of the countries visited, the Deputy Foreign Minister discussed developments in the region as well as the international situation. Views were exchanged regarding further strengthening of our bilateral relations with these countries.

(c) All the countries warmly reciprocated India's desire to further develop these bilateral ties, particularly in the field of economic and technical co-operation.

Accidents in mines from January to May, 1976

335. SHRI ROBIN SEN. Will the Minister of LABOUR be pleased to state:

(a) whether between January to May, 1976 there were 70 accidents in mines;

(b) if so, the total number of workers killed and injured,

(c) the reason for such accidents; and

(d) the steps taken by Government to stop recurrence thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Between January to May, 1976, there were 88 fatal accidents in coal mines causing death of 107 persons and serious injuries to 18 others and 34 fatal accidents in non-coal mines causing death of 42 persons and serious injuries to 4 others. (The figures given are provisional and subject to revision).

(c) Fall of roof, fall of sides, transportation machinery and explo-

sives were the main causes of these accidents

(d) Steps taken by the Government include:—

1. Concerted drive to implement the recommendations of the special study made by the Chief Inspector of Mines in India on fatal accidents due to fall of roofs and sides in coal mines.

2. Setting up of an Accident Investigation Cell in the Directorate General of Mines Safety for survey of accident prone mines and identification of corrective measures.

3. Augmentation of the strength of inspecting staff of Directorate General of Mines Safety in a phased programme to provide for increased inspections of mines.

4. Special drive for identifying potential areas/mines where there is likelihood of danger of inundation and taking of necessary further action including closure of such areas.

5. Continued emphasis on safety in mines during normal inspection of mines

6. Introduction in several mines of a system of call for safety to remind workers going on duty on the basic habits of personal safety.

7. Conducting of Safety Weeks in all mining areas to keep the spirit of safety consciousness alive.

Import of iron/steel

336. SHRI B. R. SHUKLA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether any iron or steel or both were imported during 1975-76 and up to June, 1976; and

(b) if so, the countries from which they were imported and the value thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). No pig iron was imported during 1975-76 or April-June, 1976. Steel continues to be imported.

Imports of steel by canalising agencies SAIL International Limited, and Minerals & Metals Trading Corporation are as below:—

	1975-76	April-June 1976
	Value Rs. crores	Value Rs. crores
SAIL International Ltd.	74.93	14.02
Minerals and Metals Trading Corporation	23.54	4.63

Imports are mainly from Japan, UK, USA, Belgium, France, West Germany, East Germany, Sweden, Austria, Czechoslovakia, Poland and USSR.

Foreign visits of Central Ministers

337. SHRI AMARSINH CHAUDHARI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether several Ministers of the Central Government have visited foreign countries during the last three months;

(b) if so, the names of such countries; and

(c) the nature of the talks held and the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) to (c). The information is being collected and will be laid on the table of the House as early as possible.

Manpower needs of new steel plants

338. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of STEEL AND MINES be pleased to state:

(a) the surplus manpower in the existing steel plants at present; and

(b) whether while assessing the manpower needs of new steel plants, the surplus manpower in present steel plants would also be taken into account and moved to new steel plants?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Studies conducted, some time back, in the steel plants of Hindustan Steel Ltd. had revealed an overall marginal surplus in relation to reference manning. Since then the position has been continuously changing. While in some cases the manpower requirements have gone up on account of new items of work or sanction of new units or otherwise, in some others surpluses have been noticed. However, continuous efforts are being made by the plant managements to redeploy to the extent possible, the surpluses gainfully against existing and new vacancies.

(b) While any surplus staff identified as such at a given time can be taken into account against the manpower needs of the new steel plants, its movement to the new sites would depend on a variety of factors like the policy of recruitment, willingness of the persons concerned, attitude of the labour unions etc.

Port Trust for New Mangalore Port

339. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is no Port Trust for the New Mangalore Port;

(b) whether the New Mangalore Port is at present administered by a State official; and

(c) whether a Port Trust for proper functioning of the harbour and to serve the interest of labour is proposed?

**THE MINISTER OF STATE IN THE
MINISTRY OF SHIPPING AND
TRANSPORT (SHRI H. M. TRIVEDI):**

(a) A Port Trust has not yet been formed at New Mangalore Port.

(b) The Chief Engineer and Administrator is an officer on deputation with the Govt. of India from the Government of Karnataka.

(c) The general question of setting up of a Port Trust Board at New Mangalore Port is under consideration. However, the interests of labour are protected under the various labour laws and it is not necessary that a Port Trust should be set up for protecting labour interests.

Incidence of cross infections

**340. SHRI RAJDEO SINGH
SHRI MOHINDER SINGH
GILL:**

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether recent studies by the Indian Council of Medical Research have indicated a high incidence of cross-infections in hospitals;

(b) whether I.C.M.R. has also identified a major virus disease which has acquired a disturbing trend in recent years as Japanese encephalitis; and

(c) if so, the steps taken by the Government to eradicate it?

**THE DEPUTY MINISTER IN THE
MINISTRY OF HEALTH AND FAMILY
PLANNING (SHRI A. K. M.
ISHAQUE):** (a) A study undertaken by the Indian Council of Medical Research has revealed that post operative infection in India is high as compared to advanced countries.

(b) Yes.

(c) Necessary steps to prevent the disease are being taken by the Government of West Bengal.

Rise in prices of D.D.T.

**341. SHRIMATI BIBHA GHOSH
GOSWAMI:** Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government are aware that rising prices of insecticides have affected spraying operations;

(b) whether the price of D.D.T. which was Rs. 3000 a tonne some years ago, has risen to Rs. 9000 a tonne; and

(c) if so, the reaction of Government thereto?

**THE DEPUTY MINISTER IN THE
MINISTRY OF HEALTH AND FAMILY
PLANNING (SHRI A. K. M.
ISHAQUE):** (a) Yes, to some extent.

(b) The increase in price of D.D.T. is as follows:

	Old rate per metric ton	Present rate per metric ton
	Rs.	Rs.
D.D.T. 56% w.d.p.	3240	6550
D.D.T. 50% w.d.p.	3820	9300

(c) Government have prepared revised strategy for controlling malaria. The Government have also decided to increase the indigenous production of D.D.T.

Medical Education

342. SHRI P. GANGADEB: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the new programme for medical students is being introduced as to spend their internship

period in the sub-division and taluk hospitals before they are awarded the M.B.B.S. degrees;

(b) whether the medical colleges will be directed to formulate rules in this regard; and

(c) what are the positive measures taken/being taken to establish all India integrated medical education with Health Service complex at village level?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) to (c). According to an action plan drawn up by the Government of India on the basis of the recommendations of the Group on Medical Education and Support Manpower, each medical college in the country should be given total responsibility for promotive, preventive and curative health care of at least 3 blocks, to start with, in a district, with scope for coverage of the entire district phased over a period of four or five years. Training of interns will be shifted completely away from medical college hospitals and instead, will be conducted at the Primary Health Centres, Taluk, Sub-divisional and District Hospitals. Keeping in view the need for effectuating the revised training schedule from the 1977 session itself, the Government of India have asked the Medical Council of India, *inter alia*, to appoint a committee for restructuring the academic curriculum to afford a positive bias towards community medicine in medical education and to make necessary changes in the existing rules/regulations to enable the medical colleges to switch over to the new system.

The Medical Council of India thus formed a sub-committee to consider the question of bringing about the desired changes in the medical education and the mode of effectuating the same. The report of the sub-committee is being considered by the

Executive Committee of the Council. The State Governments/Union Territories have also been urged upon to initiate action for the implementation of the Plan of action before the 15th August, 1976.

Disincentives to large families

343. SHRI B. V. NAIK: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the States in India which announced disincentives to large families;

(b) the nature of these disincentives;

(c) whether disincentives fall within the scope of the national policy on population; and

(d) whether the State Governments have taken the consent of the Centre for disincentives?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) According to the information received by the Government of India, the States of Maharashtra, U.P., Karnataka, Gujarat, Haryana, Punjab, Bihar, Rajasthan and Madhya Pradesh and the Union Territory of Delhi have announced certain measures of disincentives to discourage uncontrolled reproduction.

(b) The State Governments/Union Territories have devised their own schemes of disincentives which are broadly, in the shape of denial of certain privileges and concessions like Maternity Leave, loans/advancing for different purposes, allotment of accommodation/land, free-medical treatment, free-ship/education allowance for children and employment opportunities to those Government servants and members of general public, as the case may be, who do not limit their family to a prescribed number of children or fail to undergo sterilisation.

(c) According to the National Population Policy announced on 16th April, 1976, a copy of which was laid on the Table of the Lok Sabha, it has been decided to leave it to each individual State to introduce such measures towards their employees and other citizens in the matter of preferential allotment of houses, loans etc., as they considered necessary and desirable. The measures adopted by the State Governments are broadly in keeping with the spirit and intention of National Population Policy.

(d) In view of (c), does not arise.

दिल्ली में डाबों के कर्मचारियों को छुट्टी का लाभ

344. श्री लालजी भाई : क्या अन्नमंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में डाबों में काम करने वाले कर्मचारियों को सप्ताह में सात दिन काम करना पड़ता है और उन्हें कोई छुट्टी नहीं दी जाती है ; और

(ख) यदि हाँ, तो सरकार का इस संबंध में 'डाबों' के मालिकों के विरुद्ध क्या कदम उठाने का प्रस्ताव है ?

अन्नमंत्रालय में उपमंत्री (श्री बाल गोबिन्द वर्मा) : (क) और (ख). दिल्ली

प्रशासन के अनुसार यह तथ्य नहीं है कि दिल्ली में डाबों द्वारा नियोजित किए गए अधिकारियों को सप्ताहिक अवकाश नहीं दिए जाते। प्रशासन इस सम्बन्ध में प्राप्त शिकायतों की प्राप्ति पर उचित कार्रवाई करना रहा है। कई बार विशेष निरीक्षण भी किए गए हैं और चूकता प्रबन्धकों के खिलाफ कार्रवाई की गई है।

Opening of sub-post offices in each Community Development Blocks

345. SHRI NAWAL KISHORE SINHA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the names of the Community Development Blocks in the country where there is not even one sub-post office in the area; and

(b) whether it is proposed to open sub-post offices in those areas?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) The information is furnished in the enclosed statement.

(b) Proposals to open sub post offices in some of the areas are under the consideration of the Postmasters General concerned.

Statement

Statement showing the names of the Community Development Blocks in the country where there is not even one sub post office in the areas.

Name of the Circle

Name of the Community Development Blocks

1. Andhra Circle. • • • Koyyuru, Gudur, Padaipenta.

2. Bihar • • • Dharaya, Sanuna, Darapur, Alali, Tundi, Kalyanpur, Dumarsia, Talghar, Buria, Pakuria, Sundera-Pahari, Boripur, Kundahat, Narayanpur, Masalia, Kathkund, Jawa, Mohanpur, Mushari, Moraul, Minapur, Nampur, Piprahi, Kalyanpur, Pharpur, Narkatia, Nautian, Nimdih, Govindpur, Mazohgun, Harshen, Rajna, Earine, Hansi, Jainagar, Hartarganj, Nawadih, Mandu, Bahadurpur, Singhbara, Ghanshyampur, Harla, Genighat, Karkat, Adhora, Kridynandnagar, Amour, Rukauli, Palasi, Sikti, Bhargdensa, Dighaldanu, Korha, Falka, Balrampur, Kedra, Azinnagar, Pranpur, Amdabad, Maruana, Bahadurpur, Gaighat, Burnu, Angra, Sonsta

Name of the Circle:

Name of the Community Development Block:

Bolda, Jaldeva, Kangura, Tamar, Erki, Chainpur, Meral, Bhanbaria, Manika, Garsoo, Dhurki, Manjhiaon, Dhuraya, Bhagwanpur, Littipara, Gopi-Kandar, Pothana, Sidhaw, Kuchi, Markoel, Keridari, Degli, Katk.n-fendi, Ghurehu, Mandu, Hualathi, Pararing, Neuhatha, Kochanhaukn, Terhagachi, Sehna, Bhagr, Kisko, Chanho, Rania.

3. N. W. Circle . . . Pangri, Salooni.

4. N. E. Circle . . . Borobazar, Sriyagram, Balijana, Mawkaiew Betaining, Chakpot, Mawkyrwat, Mawryngkneng, Thadlaskein, Zikzik, Salsela, Rongram, Aibaw, Rein, Phaileng, Ngopa, Bungmun, Lungsal, Sangau, Chawgte, Thingsulthia, Tuipong, Kalakang, Wakro, Howai, Desan, Tali, Palin, Doimukh, Raga, Sagalee, Koloring, Sarti, Dimpurijo, Nacho, Taliha, Liromora, Gensai, Yingkiong, Mariyang, Baleng, Mebo, Longding, Namsang, Laju, Pongchau, Neira, Kalaktang, Lumla, Chayantsjo, Bameng, Thanlong, Tipaikukh, Henglep, Saikul, Chigai, Phungar, Kamjong, Chasad, Kashamkhullen, Kharong Sepal, Swambung, Wangoi, Tengnopal, Kikrumba, Baghty, Monkulemba, Wakching Longleng, Shamatour, Kipheri, Noklak.

5. Orissa Circle . . . Kosagumuda, Nandahandi, Kundra, Govindpalli, Kudumuduguma, Lamptapur, Kolnara, Chandrapur, Sanakhemundi, Thumal, Rampur, Lanjigarh, Karlamuda, Golanunda, K'men, Boden, Rasgovindpur, Tiring, Kusumi, Banspal, Hatadihi Dhankada Lakhampur, Maktideul, Mekul, Jamaikira, Govindpur, Gurundia, Kankadahad.

6. Rajasthan Circle . . . Sahara, Umren, Bhakia.

7. U. P. Circle . . . Khadlauli, Bharauli, Cheraigaon, Suhelganj, Channia, Pali, Paniary, Piproli, Chamarwa, Saadnagar, Panasa, Ganeshwari, Bhagatpur, Tanda, Dalpatpur, Pardha, Tahabarpur, Birdha, Bamore, Barra, Manewa, Akhandnagar, Indungar, Langara, Dhaulechira, Dhauldevi, Nandga'n, Chamuhan, Kudara, Narkhorja, Santha Bankati, Semagiawan, Mithwal, Chanwapur, Vikramjot, Bagauli, Bahadurpur, Jogia, Saunghat, Nathnagar, Khoiyawan, Halli, Ramgarh, Barhpur, Bhagyan Nagar, Madanpur, Takhyam Aliu, Azengabad, Khairgarh, Jallipur, Kasimpurgarhi, Behta, Palia, Saurthana, Sakaran, Imalia, Sultanpur, Pasendi, Tandiyawan, Sisra, Bawan, Todarpur Kothwa, Bharkhani, Phulbehar, Bijuw, Nakaha, Pasgawam, Ramiabehar, Bhawarkol, Maiac Quadarch, Samrer, Salarpur, Dhagawan, Junawai, Mirzapur, Bhatpura, Behta, Hassenrem, Talgaram, Bisrakhand, Arria, Hanumar, Belhari, Dubhar, Murli, Chhapara, Pandah, Birpurwa, Bharkata, Bishunpura, Niziua, Mariahu, Bargaathi, Ramnagar, Betalghat, Lalauri, Khera, Patara, Pidhnoo, Maitha, Kakwan, Malasa, Sandalpur, Fatehpur Chaurasi, Ashoha, Bichhia Sikandarpursarosi, Sikan-darkaran, Auras, Silauli, Asothar, Telixari, Decmai, Rajapur, Bhojpur Rajpura, Tilana.

8. West Bengal . . . Khatra, Mayureswar, Nanor, Memeri, Kalna, Jamuria, Patashpur Tamuk, Nandigram, Arsha, Neturia, Santuri, Para, Ujuberia, Panchla, Bhagabanyola, Ranaghat, Krishnaganj, Kultali, Barasat, Minakhan, Swarnnagar, Sandeshkhali, Harishchandrapur, Habibpur, Kaliachak, Hemtabad, Chopra, Goalpokhar.

Proposed Socialist International Delegation to India

346. PROF. MADHU DANDAVATE:
Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Socialist International had decided to send its delegation to India to study the situation after the declaration of Emergency in India;

(b) if so, whether the delegation was refused permission to come to India; and

(c) if so, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) In July 1975, we were informed that the Socialist International desired to depute 2 representatives to India to look into the living conditions and health of Shri Jayaprakash Narayan.

(b) and (c). It was conveyed to the Socialist International that all political detainees including Shri Jayaprakash Narayan were being well looked after. It was further conveyed to them that there was no question of any foreign organisation or individual coming to India for an enquiry of this kind which would be tantamount to interference in our internal affairs

Konkan Passenger Shipping Service

347. PROF. MADHU DANDAVATE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the public sector Mughal Lines proposes to discontinue the Konkan passenger shipping service;

(b) whether the Maharashtra Government have expressed its willingness to conduct the shipping service through Maharashtra State Transport;

(c) whether the Maharashtra Government have suggested that the Goa Government should also bear part of the losses on the shipping service; and

(d) if so, the reaction of Union Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHR. H. M. TRIVEDI): (a) No, Sir.

(b) No such proposal has been made by the Government of Maharashtra.

(c) and (d). The proposal that losses incurred by Mogul Line Ltd. be shared by the Governments of Maharashtra and Goa is under consideration.

अविलम्ब टंक टेलीफोन सेवा (एल० टी०डी०)
से जिला मुख्यालय को जोड़ना

348. श्री नंगा बरब दीक्षित : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या निकट भविष्य में राज्य मुख्यालय से सभी जिला मुख्यालयों तक अविलम्ब टंक टेलीफोन सेवा (एल० टी०डी०) का विस्तार किये जाने की योजना है ; और

(ख) यदि हां, तो मध्य प्रदेश में सभी जिला मुख्यालयों में उक्त टेलीफोन व्यवस्था उपलब्ध होने में सम्भवतया कितना समय लगेगा ?

संचार मंत्री (डा० शंकर बहाल शर्मा):

(क) विभाग की योजना है कि सभी जिला मुख्यालयों को उनकी सर्वसिद्ध राजधानियों से जोड़ दिया जाय। साधन और उत्स्कर उपलब्ध होने पर यह कार्य उत्तरोत्तर पूरा किया जाएगा।

(ख) मध्य प्रदेश के जिला मुख्यालयों को भोपाल के साथ उपभोक्ता टंक टेलीफोन सेवा के जरिये जोड़ने के लिये कोई समय सारणी नहीं बनाई गई है।

होशंगाबाद तथा पूर्वी गिजाड़ जिलों में
टेलीफोन सुविधाएं

349. श्री नंगा बरब दीक्षित : क्या संचार मंत्री यह बताने की कृपा करेंगे कि मध्य प्रदेश के होशंगाबाद और पूर्व गिजा

बिलों के उन स्थानों के जिलाधार नाम क्या हैं जहाँ वर्ष 1976-77 में टेलीफोन सुविधाएं प्रदान करने का सरकार का विचार है ?

संसार मंत्री (डा० बजर ब्याल मंत्री) : ऐसा प्रस्ताव है कि होशंगाबाद जिले के चरखड़ा और पूर्वी निमाड़ जिले के खाकनेर स्थान पर वर्ष 1976-77 के दौरान सार्वजनिक टेलीफोन घर खोल दिये जायें। पूर्वी निमाड़ जिले के सिहाड़ा स्थान पर इस वर्ष एक सार्वजनिक टेलीफोन घर पहले हो खोला जा चुका है।

मध्य रेलवे में ठेकेदारों द्वारा काम मजबूरी की अवस्था

350. श्री मंगा चरण शिखत :

श्री हुसैन खान कलबाय :

क्या भय मंत्री यह बताने की कृपा करेंगे कि :—

(क) मध्य रेलवे के विभिन्न डिब्बानों में माल डिब्बे खाली करने का ठेका लेने वाली कम्पनियाँ, फर्मों तथा ठेकेदारों की संख्या कितनी है ;

(ख) क्या इन ठेकेदारों के पास काम करने वाले हरिजनों, आदिवासियों तथा पिछड़े वर्गों के लोगों को वर्षों के बहुत कम मजबूरी मिल रही है और उन्हें विभिन्न अधिक कल्याण कानूनों के अधीन मिलने वाले लाभों से भी वंचित किया जा रहा है ; और

(ग) यदि हाँ, तो ऐसे कर्मचारियों की दशा को सुधारने के लिए सरकार द्वारा क्या कार्यवाही की जा रही है ?

भय मंत्रालय में उपसची (श्री बाल मोहन मंत्री) : (क) से (ग) सूचना एकत्र की जा रही है और इसे संबंधित प्राधिकारियों के ज्ञापित होने पर कर्म की सेवा पर एक दिशा आदेश।

मध्य प्रदेश के बस्तर जिले में लोह भयस्क के निर्माण

351. श्री मंगा चरण शिखत : क्या स्थान और खान मंत्री यह बताने की कृपा करेंगे कि :—

(क) क्या मध्य प्रदेश राज्य के बस्तर जिले में पाये गये लोह भयस्क निक्षेपों के समुपयोजन और वहाँ कच्चे लोहे के संयंत्र की स्थापना का कोई प्रस्ताव सरकार के विचाराधीन है , और

(ख) यदि हाँ, तो इन बारे में अब तक क्या कार्यवाही की गई है ?

इस्पात और खान मंत्री (श्री चन्द्रबीर बाबू) (क) और (ख) अप्रैल, 1968 से लेकर मध्य प्रदेश के बस्तर जिले में बोला-डीसा लोह भयस्क निक्षेप संख्या 14 से निकलने वाले लोह भयस्क का पहले के ही निर्यात किया जा रहा है। केलाडीसा की एक दूसरी खान अर्थात् निक्षेप संख्या 5 का विकास भी निर्यात के लिए किया जा रहा है।

राष्ट्रीय खनिज विकास निगम के कहने पर मेटालर्जिकल एंड इंजीनियरिंग कन्सल्टेंट्स (इंडिया) लि० द्वारा वर्ष 1973 में किये गये अध्ययनों से पता चला था कि बोला-डीसा से प्राप्त होने वाले लोह भयस्क के बारे में आश्वासन पर कच्चे लोहे/स्वयं लोहे का कारखाना बनाना मितव्ययी नहीं होगा। बोलाडीसा के लोह भयस्क के भण्डारों के आश्वासन पर एक सर्वेक्षण लोहा कारखाने के लिए आवश्यकता प्रतिवेदन तैयार किया गया है जिस पर इस समय 'लेन' द्वारा विचार किया जा रहा है।

Prime Minister's visits abroad

352. SHRI N. E. HORO: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the names of the countries visited by the Prime Minister recently;

(b) whether there had been any discussion that Indian Ocean region should be free from military escalation by the great powers of any kind of military activity and rivalry; and

(c) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) USSR, GDR and Afghanistan.

(b) and (c). There was general agreement on making the Indian Ocean a zone of peace, free from foreign military bases.

चिकित्सा प्रतिनिधियों को 'कामगार' की परिभाषा में सम्मिलित करने की मांग

353. डा० लक्ष्मीनारायण पांडेय : क्या अख्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान चिकित्सा प्रतिनिधियों की इस मांग की ओर दिलाया गया है कि अख्य सबघो कानूनों में संशोधन करके उन्हें भी 'कामगार' (वर्कमैन) की परिभाषा में सम्मिलित किया जाये, और

(ख) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

अख्य मंत्रालय में उपस्थित (श्री बाल गोविन्द वर्मा) : (क) और (ख) : चिकित्सा वर्कमैन कर्मचारी (सेवा की शर्तों) अधिनियम, 1976 जो 6 मार्च, 1976 से लागू हुआ था तथा जो चिकित्सा वर्कमैन कर्मचारियों

की सेवा की कतिपय शर्तों को विनियमित करता है, चिकित्साय प्रतिनिधियों की मांगों को पूरा करता है ।

Setting up of a wage Board for Medical Representatives

354. DR. LAXMINARAIN PANDEYA: Will the Minister of LABOUR be pleased to state:

(a) whether Medical Representatives have demanded the setting up of a separate Wage Board for them; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) No such demand has been received.

(b) Does not arise.

Protest against Racist Regime of South Africa

355. SHRI SAROJ MUKHERJEE: Will the Minister of EXTERNAL AFFAIRS be pleased to state the steps the Government of India had taken to voice the Indian people's protest against the racist regime of South Africa in view of the fact that 21 African and Arab countries had protested against the participation of Newzealand in Olympic games and withdrawn from the same on the ground that Newzealand had been keeping games relations with the racist regime of South Africa by sending a team to play Rugby in South Africa?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Government of India have denounced racialism and the policy of apartheid practised by South Africa and has opposed unreservedly its application in sports as much as in other

fields. The Government of India observe complete boycott of South Africa in diplomatic, commercial, economic and other fields including sports as per the relevant resolutions passed at the United Nations.

Help to the cause of P.L.O. Fighters

356. SHRI SAROJ MUKHERJEE: Will the Minister of EXTERNAL AFFAIRS be pleased to state the concrete measures taken by the Ministry to materially help the P.L.O. and its fighters in view of the fact that the aggressive attacks on the P.L.O. fighters have been mounting everyday and that U.N.O. has accepted the demand of P.L.O. as just and human and that Government of India have also declared their policy in support of P.L.O.?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): The Government of India have recognised the representational character of the Palestine Liberation Organisation and have given consistent and principled support to the cause of the Palestinian people in the United Nations Organisation and other international fora. In January 1975, the Palestine Liberation Organisation was allowed to open its office in Delhi. The Government also provide scholarships to the Palestinian students and contribute to the United Nations Relief and Works Agency for maintenance of Palestinian refugees.

Quick Mail Service Facilities to cities

357. PROF. NARAIN CHAND PARASHAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the names and numbers of cities and towns in India which are enjoying the Q.M.S. facilities as on 1st July, 1976; and

(b) whether it is proposed to extend this facility to a larger number of towns and whether any programme has been drawn up in this regard?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) The Q.M.S. facility was available in 392 cities/towns in India as on the 1st July, 1976; of these, 45 are National centres connected with one another and the remaining 347 are Regional centres connected to the respective state capitals headquarters of the Union Territory. A list giving the names of these centres, state-wise, is laid on the Table of the House. [Placed in Library. See No. LT-11053/76].

(b) The question of extension of this service to other towns is being reviewed from time to time, keeping in view the timings of the transport facilities.

Daily Dak Delivery Service to Villages

358. PROF. NARAIN CHAND PARASHAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of villages in each State/Union Territory of the country which are covered by the Daily Dak Delivery service as on 1-7-1976;

(b) the number of such villages among them as have (i) Weekly, (ii) Bi-weekly, (iii) Tri-weekly and (iv) Fortnightly mail service;

(c) whether any plan has been drawn up to extend the Daily Dak Delivery to a larger number of villages and also to increase the frequency of mail service in case of those villages which do not enjoy Daily Dak Delivery; and

(d) if so, outline thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL

SHARMA): (a) and (b). A Statement is placed on the Table of the Lok Sabha. [Placed in Library. See No. LA-11084/78].

(c) and (d). The Heads of Postal Circles have been instructed to extend daily delivery of mails to as many villages as possible.

Waiting List of Telephone connections

359. PROF. NARAIN CHAND PARASHAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of applicants for telephones on the waiting list of (i) O.Y.T. (ii) Special and (iii) Ordinary categories in each one of the metropolitan cities of Delhi (including New Delhi), Bombay, Calcutta and Madras and the capitals of other States of the Indian Union as on 31-3-1976 and 30-6-1976;

(b) the date of the registration of the first name on the waiting list for each one of these categories; and

(c) whether any effort is being made to provide more connections in the cities mentioned above so as to reduce the number on the waiting list?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). The required information is being collected and will be placed on the Table of the Lok Sabha in due course.

(c) Efforts are continuously being made to expand the exchange capacities within the available limited resources.

नये आयुर्वेदिक और होम्योपैथिक कालेजों का खोला जाना

360. श्री जगदीश चंद्र : क्या स्वास्थ्य और परिवार विभाग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में आयुर्वेदिक और होम्योपैथिक प्रणाली को प्रोत्साहन देने के लिए नये आयुर्वेदिक तथा होम्योपैथिक महाविद्यालय और विश्वविद्यालय खोले जाने की कोई योजना है ;

(ख) इस समय देश में दोनों चिकित्सा प्रणालियों के कितने-कितने और कहां-कहां विद्यालय, महाविद्यालय और विश्वविद्यालय हैं ; और

(ग) दोनों चिकित्सा प्रणालियों की शिक्षा पा रहे छात्रों की संख्या कितनी है ?

स्वास्थ्य और परिवार विभाग मंत्रालय में उप मंत्री (श्री ए०के० मुख० इस्लाम) : (क) कोई नए आयुर्वेदिक तथा होम्योपैथिक कालिज और विश्वविद्यालय खोलने का केन्द्र सरकार का विचार नहीं है। पांचवीं योजना में वर्तमान स्नातक पूर्व कालेजों को सुदृढ़ करने की व्यवस्था है तथा शिक्षा के क्षेत्र में गुण बोग्यता पर जोर दिया गया है न कि मात्रा पर।

(ख) वैजलिक संस्थाओं की संख्या :—

आयुर्वेदिक	83
होम्योपैथिक	92
योग	175

जामनगर में एक आयुर्वेदिक विश्व-विद्यालय भी है।

(ग) आयुर्वेदिक और होम्योपैथिक संस्थाओं में हर वर्ष प्रवेश पाने वाले विद्यार्थियों की अनुमानित संख्या क्रमशः लगभग 3,000 तथा 2,000 है।

लेखनान में भारतीय नागरिक

362. श्री जगदीश चंद्र : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या लेबनान से कुल कितने भारतीय नागरिक हटाये गये और उनको कहां बसाया गया है ;

(ख) उनकी चल और अचल सम्पत्ति का क्या हुआ ;

(ग) लेबनान में कुल कितने भारतीय नागरिक थे और वर्तमान युद्ध में कितने भारतीय नागरिक मारे गये ; और

(घ) क्या लेबनान स्थित भारतीय दूतावास के कर्मचारियों को भी हटाया गया था ?

विदेश मंत्रालय में उपमंत्री (श्री विधिन पाल दास) : (क) बताया जाता है कि सितम्बर 1975 से लगभग 660 भारतीय लेबनान छोड़ चुके हैं। भारत सरकार और राजकीय क्षेत्र के प्रतिष्ठानों के जिन कर्मचारियों को लेबनान से वापिस बुला लिया गया था उन्हें भारत में या विदेशों में तैनात कर दिया गया है। जहां तक अन्य लोगों का प्रश्न है, जैसे गैर-सरकारी लोग, व्यापारी तथा अन्तर्राष्ट्रीय संगठनों के कर्मचारी, उनका प्रस्थान उनकी अपनी या संबद्ध अन्तर्राष्ट्रीय संगठनों की इच्छा पर निर्भर करता है और उन्हें फिर से बसाने का प्रश्न नहीं उठता।

(ख) अन्य विदेशियों की भांति भारतीय राष्ट्रकों ने भी अपने साथ केवल वही सामान लिया जो अस्ताना से ले जाया जा सकता था। भारी चल और अचल सम्पत्ति वहीं छोड़ दी गयी थी।

(ग) लेबनान में अब भारतीयों की संख्या 40 के लगभग है। इस संघर्ष में अभी तक चार भारतीय मारे गये हैं।

(घ) जी, हां।

Refusal of Passports by South African Government

363. SHRI M. S. PURTY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether five great grand children of Mahatma Gandhi have been refused passports by the South African Government; and

(b) whether they have approached the Indian Government to seek its assistance in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) According to our information Mr. Mewa Ramgobin, husband of Mrs. Ela Ramgobin, the grand daughter of Mahatma Gandhi, applied for passports for their children. These passports were refused by South African regime.

(b) No, Sir.

उज्जैन (म० प्र०) स्थित शराब के कारखानों द्वारा भविष्य निधि का जमा न कराया जाना

364. श्री हुकम चन्द कज्जवाय: क्या अर्थ मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में उज्जैन स्थित शराब के कारखानों (डिस्टिलरी) द्वारा 1973-74 से मार्च 1975-76 तक भविष्य निधि और कर्मचारी राज्य बीमा योजना की कितनी राशि जमा नहीं कराई गई है ;

(ख) क्या शराब के कारखानों ने इस प्रयोजन के लिये वाटी गई राशियों का अन्य कार्यों में उपयोग किया है ;

(ग) क्या अर्थ मंत्रालय सम्बन्धी कानूनों के अंतर्गत उपलब्ध लाभों और सूक्ष्म और अशिक्षितों को बड़ी संख्या में वंचित करने के उद्देश्य से वहां बहुत कम श्रमिकों को स्थायी और बहुत अधिक श्रमिकों को अस्थायी और दैनिक मजूरी पर दिखाया गया है ; और

(घ) यदि हां, तो सरकार का इस स्थिति को सुधारने के लिए क्या कार्यवाही करने का विचार है ?

अम मंत्रालय में उपमन्त्री (श्री) बाल बोरिण्ड बर्मा) : भविष्य निधि प्राधिकारियों और कर्मचारी राज्य बीमा नियम में निम्न प्रकार सूचित किया है —

(क) और (ख) उर्जैन में मैसर्स हुंगाजी एण्ड कंपनी नामक केवल एक शराब की बंटेरी है। यह प्रतिष्ठान भविष्य निधि की देय राशियों का नियमित रूप से भुगतान करता है। तथापि, जैसी कि स्थिति मार्च, 1976 को थी, वे, कर्मचारी राज्य बीमा की देय राशि के रूप में 19,368/- रुपये की राशि की चुक मे हैं।

(ग) और (घ) कर्मचारी भविष्य निधि और विविध उपबन्ध अधिनियम, 1952 और कर्मचारी राज्य बीमा अधिनियम, 1948 के अन्तर्गत आने के लिए स्थायी, अस्थायी और दैनिक मजदूरी श्रमिकों में कोई भेद नहीं रखा गया है। प्रतिष्ठान के स्थायी, अस्थायी तथा दैनिक मजदूरी श्रमिकों के सम्बन्ध में विस्तृत सूचना एकत्र की जा रही है और ममा की मेज पर रख दी जायेगी।

पद्मा होरा बालों के श्रमिकों को अम कानूनो का लाभ

305 श्री हुकम चन्द कछवाय : क्या इस्पात और खान मन्त्री 15 अप्रैल, 1976 के अतारकित प्रश्न संख्या 2439 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या इस बीच जानकारी एकत्र कर ली गई है; और

(ख) यदि हां, तो तत्सम्बन्धी तथ्य क्या हैं?

इस्पात और खान मंत्रालय में उपमन्त्री (श्री सुखदेव प्रसाद) : (क) जी, हां।

(ख) एक विवरण सभा-पटल पर रख दिया गया है। [ग्रन्थालय में रखा गया। रेकॉर्ड संख्या एन टी 11055/76]

मध्य प्रदेश में स्वर्ण भंडार का पता लगना

366 श्री हुकम चन्द कछवाय : क्या इस्पात और खान मन्त्री 18 मार्च, 1976 के अतारकित प्रश्न संख्या 777 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार उस क्षत्र में व्यापक सर्वेक्षण कराने का है और यदि हां, तो यह कब तक पूरा हो जायेगा; और

(ख) प्रारम्भिक खोज कार्य पर अब तक कितनी राशि खर्च की गई है तथा इस क्षत्र में कितना निक्षेप मिलने का अनुमान है तथा भविष्य में इस पर कितनी राशि खर्च होने की सम्भावना है?

इस्पात और खान मंत्रालय में उपमन्त्री (श्री सुखदेव प्रसाद) : (क) और (ख) : मध्य प्रदेश सरकार रायगड जिले के ग्राम बरजोड के निकटवर्ती क्षेत्र में भण्डीय खोज कार्य कर रही है। यह खोज कब तक पूरी होगी, या निक्षेपों की अनुमानित मात्रा क्या होगी तथा उस पर कितना व्यय होगा, इस बारे में अभी कुछ नहीं कहा जा सकता।

नकली श्रीबधिया बनाने वालों के स्थानों पर मारे गये छात्र

367 श्री भागीरथ भंडार : क्या स्वास्थ्य और परिवार नियोजन मन्त्री यह बताने की कृपा करेंगे कि :

(क) गत महीनों में कानपुर (उ० प्र०) में और इससे पूर्व इन्दौर (मध्य प्रदेश) में तथा देश के अन्य भागों में नकली श्रीबधिया बनाने वालों के स्थानों पर छात्र मारे गये थे और क्या सरकार को यह जानकारी प्राप्त हुई है कि ये लोग देशव्यापी स्तर पर नकली

श्रीषष्ठियां बना रहे हैं और यदि हां, तो उत्सम्बन्धी तथ्य क्या हैं;

(ब) क्या नकली श्रीषष्ठियों के साथ जामी लाइसेंस भी एकट्टे गये हैं;

(ग) क्या गत वर्षों की तुलना में नकली श्रीषष्ठियां बनाने वालों और जामी लाइसेंसों की संख्या में कमी हुई है अथवा वृद्धि हुई है और उसकी प्रतिशतता क्या है; और

(घ) अधिनियम में नकली श्रीषष्ठियों के उत्पादन को रोकने के लिए क्या कार्यवाही की गई है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उपमंत्री (श्री ए० के० एम० इलहाक) :

(क) स (घ) केन्द्रीय और राज्य सरकारों के श्रीषष्ठ निम्नतम अधिकारी अपने सामान्य कार्यक्रम के दौरान श्रीषष्ठ निर्माताओं और व्यापारियों का निरीक्षण करते हैं। जब कभी बोगस निर्माताओं और व्यापारियों के बारे में सूचना मिलती है तो विशेष छापे बारे बाने हैं। तो लोग श्रीषष्ठ एवं प्रसाधन सामग्री अधिनियम के उपबन्धों तथा उसके अधीन बने नियमों का उल्लंघन करते हैं उनके विरुद्ध मुकदमा चलाया जाता है। सूचना मिली है कि मध्य प्रदेश के अधिकारियों ने बिना लाइसेंस वाले श्रीषष्ठ निर्माताओं के यहां इन्दौर में दो और रायपुर में एक छापे मारा। उत्तर प्रदेश के श्रीषष्ठ निम्नतम अधिकारियों ने कानपुर में 13 जुलाई, 1976 को नकली दवाइयों को एक फैक्टरी में छपा भारा बालाया गया है और लैबल टेबलेटिंग मशीनरें तथा नकली दवाइयां पकड़ी। दो व्यक्तियों को गिरफ्तार किया गया। इन छापों के दौरान किसी बोगस लाइसेंस को नहीं पकड़ा गया बताया गया है। श्रीषष्ठ एवं प्रसाधन सामग्री अधिनियम, 1940 में नकली श्रीषष्ठ की परिभाषा निहित नहीं है और इसलिए उनके बारे में

अथवा बोगस लाइसेंस के बारे में कोई प्रावधान नहीं रहे जाते हैं।

राज्य सरकारों से अनुरोध किया गया है कि वे नितावटी और घटिया किस्म की दवाइयों के विरुद्ध अभियान चलाएं। श्रीषष्ठ परीक्षण सुविधाओं में सुधार करने के लिए राज्य सरकारों को केन्द्रीय सहायता दी जा रही है। श्रीषष्ठ एवं प्रसाधन सामग्री अधिनियम, 1940 के उपबन्धों को और अधिक कठोर बनाने के लिए उक्त अधिनियम में संशोधन करने का भी विचार है।

Land for Bonded Labourers

368. SHRI M. S. PURTY: Will the Minister of LABOUR be pleased to state:

(a) the steps Government have taken to provide bonded labourers with agricultural land; and

(b) the measures adopted in case there is no surplus land available for them?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIN VERMA): (a) and (b). A Statement is placed on the Table of the House.

Statement

Andhra Pradesh—Out of 826 freed bonded labourers 698 bonded labourers have been rehabilitated. Orders have been issued to all Collectors, Director of Harijans Welfare and Director of Backward Classes Welfare to allot agricultural lands and house sites to the freed bonded labourers on priority basis. They have also been authorised to issue loans for agricultural operations and agricultural development and loans at preferential rate of interest to the freed bonded labourers on preference and priority basis. So far 19 freed bonded labourers assigned agricultural land. If there is no surplus land Collectors will provide

suitable rehabilitation measures to the freed bonded labourers by giving loans towards economic support programmes and also by obtaining loans from the nationalised banks.

Bihar—Rehabilitation scheme under implementation. 730 acres of land allotted to 581 bonded labourers. Rs. 2,76,000 have been spent so far from State Budget.

Rajasthan—1394 freed bonded labourers have been rehabilitated by allotting agricultural land. A provision of Rs. 500 each is provided by the State Government. 28 freed bonded labourers have been given loan facilities of Rs. 32,400 by Scheduled Bank in Rajasthan. 13 freed bonded labourers have been given employment at Rajasthan Canal.

Orissa—95 freed bonded labourers have been rehabilitated. Rs. 5 lakhs have been allotted from Tribal and Rural Welfare Budget. Rs. 3 lakhs have been allotted for rehabilitation of non tribal labour. So far 28.96 acres of agricultural land have been allotted.

Tamilnadu—422 families assigned with cultivable land 179 families who were not given land were provided with subsidiary farming assistance. State Bank of India sanctioned Rs. 5 lakhs to 250 freed bonded labourers in Coimbatore District for productive ventures. Rs. 1 lakh sanctioned for South Arcot District for settlement of freed labourers.

C.P.—2498 freed bonded labourers of District Dehradun have been allotted 2485.39 acres of land for agriculture and loans amounting to Rs. 1,31,430 for purchasing agricultural inputs. A sum of Rs. 1,06,200 have been advanced to freed bonded labourers by Co-operative and Commercial Banks for the purchases of agriculture and cattle rearing.

1318 LS-4.

Workers laid off in Sugar Mills in Tiruchy District (Tamil Nadu)

369. **SHRI DINEN BHATTACHARYA**: Will the Minister of LABOUR be pleased to state:

(a) whether nearly 2,400 workers were laid off in three sugar mills in Tiruchy District of Tamil Nadu; and

(b) if so, what steps have been taken by Government to stop such lay-offs?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The matter falls essentially in the State Sphere. According to the information made available by the Government of Tamil Nadu, 1244 permanent workers were laid off on different dates in Kothari Sugar and Chemicals Ltd. (291 workers from April 21, 1976), Deccan Sugar and Abkhar Company Ltd. (547 workers from March 16, 1976), and Cauvery Sugar and Chemicals Ltd. (406 workers from March 29, 1976). Dispute raised over this issue was taken up in conciliation by the State Industrial Relations Machinery. Conciliation having failed, Government of Tamil Nadu are considering further steps in the matter. The matter, it is reported, is to be discussed at the next meeting of the Standing Committee of the State Apex Body.

Exploitation of Bauxite Deposits in East Coast

370. **SHRI D. D. DESAI**: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether his Ministry has finalised plans for exploitation of bauxite deposits recently discovered in the East Coast; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). A programme for 'proving' bauxite reserves in the East Coast range is under way. Plans for the exploitation of the deposits will be formulated on the basis of the results of 'proving' operations.

Alumina for Export to Iran

371. SHRI D. D. DESAI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Iran is not pursuing its scheme for manufacture of alumina in India for export to that country; and

(b) if so, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). Discussions have been held with Iran regarding arrangements for supply of alumina to Iran. It is expected that the arrangements will be concluded shortly.

Expansion of Balco

372. SHRI D. D. DESAI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether BALCO has achieved an increase in production during the first quarter of this financial year;

(b) if so, the nature of increase; and

(c) whether there are any plans for expansion of BALCO's output?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Yes, Sir.

(b) The production of aluminium from the first potline of the smelter (25,000 tonnes per annum capacity) was 6,431 tonnes in the first quarter April-June, 1976, representing 102 per

cent capacity utilisation and 7 per cent increase over production in the previous quarter January-March, 1976.

(c) The Korba project is scheduled to produce eventually 100,000 tonnes of aluminium per annum.

The second potline of the Korba Smelter of BALCO (25,000 tonnes per annum capacity) has been completed. It will go into production as soon as additional power is available from the Madhya Pradesh Electricity Board.

Work on third and fourth potline (50,000 tonnes per annum capacity) is progressing.

दिल्ली परिवहन निगम की दुमंजिला बस

373. श्री मूल चन्द डागा : क्या नौबहन और परिवहन मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली परिवहन निगम की कुल कितनी दुमंजिला बसें चल रही हैं और गत दो वर्षों के दौरान ऐसी बसों की कितनी दुर्घटनाएं हुईं ; और

(ख) कागजातों का विचार इन दुर्घटनाओं की जांच करने और इनका चलाना बन्द करने का है ?

नौबहन और परिवहन मंत्रालय में उप-मंत्री (श्री दलबीर सिंह) : (क) दिल्ली परिवहन निगम के पास अपने बेड़े में 126 दो मंजिली बसें हैं। पिछले दो वर्षों (1974 और 1975) में इन बसों की 125 दुर्घटनाएं हुईं जिनमें 3 बे दुर्घटनाएं भी शामिल हैं जिनमें बसें उलट गईं।

(ख) दोमंजिली बसों के उलट जाने के कारणों को गंभीरतापूर्वक करने के लिये जून, 1971 में निगमों की एक समिति बनाई गई। इस समिति की सिफारिशों पर दो मंजिली

बसों के सुरक्षित परिचालन के लिये निगम ने निम्नलिखित उपाय किये हैं :-

- (1) इन बसों पर ड्यूटी करने वालों ड्रायवरो को जांच का गहन प्रशिक्षण दिया जाता है।
- (2) इन गाड़ियों के चलाये जाने के लिये सावधानी बरतने के सम्बन्ध में कड़ी हिदायतें दी गई हैं।
- (3) बसों में यातायात संकेत लगाये गये हैं।
- (4) ये हिदायतें दी गई हैं कि इन बसों में खड़े यात्री न ले जाये जाएं।

उपरोक्त सावधानियां बरतने के परिणाम स्वरूप दोमंजिली बसों के उलटने को दुर्घटनाओं की संख्या काफी घट गई है।

दोमंजिली बसों की अन्य दुर्घटनाओं में कोई विशेष बात नहीं है। इन बसों तथा अन्य बसों में दुर्घटनाओं को रोकने के लिये निगम अपने ड्राइवरों द्वारा सुरक्षापूर्ण परिचालन को सुनिश्चित करने के लिये नियमित उपाय कर रहा है।

Graphite deposits in Kerala

374. SHRI VARKEY GEORGE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether some surveys are being conducted to locate graphite deposits in Kerala; and

(b) if so, the areas where surveys are being conducted and the approximate estimate of the deposits?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES

(SHRI SUKHDEV PRASAD): (a) Yes, Sir.

(b) Investigation for graphite is being carried out by the Geological Survey of India in Nagapuzha and Vadamcode areas in Ernakulam District. As the work is still in progress, it is not possible to give any firm estimate of the reserves at this stage.

Survey for Gold in Kerala

375. SHRI VARKEY GEORGE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Geological Survey of India has conducted a survey for gold in Attappady in Kerala; and

(b) if so, the results thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Yes, Sir.

(b) It is premature to infer any result as the work is still in progress and the chemical analysis results are awaited.

Death of Indian Student in London

376. SHRI HARI SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether an Indian student studying in London has been stabbed to death on May 1, 1976; and

(b) if so, the steps Government have proposed to draw the attention of the Government of Britain to this case?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir.

(b) We expressed our concern to the British authorities in this case as also in general about the feeling of insecurity among the Indian Com-

munity in Britain due to incidents of this kind.

Interim Relief to Electricity Employees

377. **SHRI S. M. BANERJEE:**
SHRIMATI ROZA DESH-
PANDE:

Will the Minister of LABOUR be pleased to state:

(a) whether the recommendations of the Guidelines Committee on Interim Relief for Electricity Employees have not been implemented as yet in three northern States;

(b) if so, the reasons thereof;

(c) whether powermen have taken a decision to observe a week from 9th to 15th August, 1976 to draw the attention of the State Governments and the managements towards their demands; and

(d) if so, the reaction of Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). According to the information received some time ago, the recommendations had not been implemented in Punjab, Haryana and Himachal Pradesh on the ground that the State Electricity Boards are following the State Government pattern in the matter of pay scales, dearness allowance and other benefits to their employees

(c) and (d). A few Unions have intimated that they have observed Demands Day to draw attention to their demands on 4th August, 1976. The bulk of the personnel working for the generation and distribution of electric power, function under different State Electricity Boards, and are under the administrative control of the respective State Electricity Boards. The State Electricity Boards are the competent authorities to take a view on their demands.

Manufacture of spares for Steel Plants

378. **SHRI P. GANGA REDDY:**
Will the Minister of STEEL AND MINES be pleased to refer to reply given to Starred Question No. 338 on 13th March, 1975 and state:

(a) whether Government have since decided to set up a Central Workshop for the manufacture and supply of spare parts to all the steel plants; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b) . No, Sir.

The feasibility report prepared by Metallurgical & Engineering Consultants (India) Limited on setting up a "Central Workshop for manufacture of spare parts for steel plants" is under examination of the Steel Authority of India Limited.

U.K. aid for Family Planning

379 **SHRI P. GANGA REDDY:**
Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether U K Government has agreed to provide aid for family planning projects in the country; and

(b) if so, the terms and conditions of the aid?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A.K.M. ISHAQUE): (a) and (b) A proposal for the grant of aid by the U.K. Government for the strengthening of sterilisation facilities under the Family Planning Programme is under consideration. A formal agreement between the two Governments is yet to be signed.

Financial assistance to Kerala for introduction of Post Graduate Courses in Prasuthithantra and Balachikitsa and Mental Diseases

380. SHRI C. H. MOHAMED KOYA:
SHRI N. SREEKANTAN NAIR:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state;

(a) whether State Government of Kerala had approached the Central Government for financial assistance for introduction of post-graduate courses in (1) Prasuthithantra and Balachikitsa and (2) Mental diseases at P.G. Centre at Kottakkal; and

(b) if so, the action taken by Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b) Yes but due to inadequacy of provision in the Fifth Plan outlay the proposal of the State Government could not be accepted.

Proposal for establishing of a Regional Cancer Institute at Medical College, Trivandrum

381. SHRI C. H. MOHAMED KOYA:

SHRI N. SREERANTAN NAIR:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state;

(a) whether Government of Kerala have submitted proposal for establishment of a Regional Cancer Institute at the Medical College, Trivandrum;

(b) whether Central assistance has been requested for this Project;

(c) if so, the total financial assistance requested by the State and funds allotted;

(d) whether the Central Government have made any attempts to get

financial assistance from WHO for this Project; and

(e) if so, the result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Yes.

(c) Government of Kerala requested for Central assistance of Rs. 60.00 lakhs for development of Regional Cancer Institute at the Medical College, Trivandrum, in March 1976. In view of the limited allocation made available for Cancer Research and Treatment in the Central Sector during the 5th Plan, it has not been found possible to provide any Central assistance to Government of Kerala for this purpose.

(d) No.

(e) Does not arise.

Allotment of funds to States for eradication of Malaria, Cholera and other diseases

382. DR. SARADISH ROY:
SHRI JAGANNATH MISHRA:
SHRI P. GANGADEB:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state.

(a) the total amount of money allotted for the eradication of malaria, cholera and other diseases separately, State-wise during in last three years; and

(b) the work done by the States in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) A statement showing the Central assistance in cash released to the States for the eradication of Malaria and control of Cholera, Smallpox, Leprosy, T.B., V.D., Trachoma and Filariasis during the last three years 1973-74 to 1975-76 is

laid on the Table of the House. [Placed in Library. See No. LT-11056/76].

(b) Programmes relating to eradication of Malaria and Smallpox and control of Leprosy, T.B., S.T.D., Cholera, Trachoma and Filaria are treated as Centrally Sponsored Scheme for which Central assistance is provided according to the prescribed patterns.

The country has attained zero incidence in Smallpox in July, 1975 and that status has been maintained since then. There has been a set back in the implementation of National Malaria Eradication Programme during the last few years due to the various factors. A revised strategy for selective containment of Malaria has been prepared. As regards the control of Leprosy out of 3.2 million estimated cases in the country over 1.6 million cases have been registered and are provided treatment. The programme is being gradually expanded to cover the remaining cases. Under the National T.B. Control Programme, treatment of infectious m patients is provided. A modern effective anti-T.B drugs are given on priority basis and immunization by BCG Vaccination of the population below the age of 20 years is undertaken. There are 435 Clinics run by the States and Voluntary Organisation, and 308 BCG teams are functioning in the country. Under the S.T.D. Control Programme, the Central Government gives free supply of drugs to the States. During 1975, over 2.4 lakhs cases were treated in the V.D. clinics established with Central assistance. Under the National Cholera Control Programme, Cholera Combat Teams have been established in 28 endemic districts. The incidence and deaths due to Cholera have been brought down. Under the Trachoma Control Programme till March 1976, 215.43 million population in 275 C.D. Blocks has been covered. Under the National Filaria Control Programme, 142 Filaria Control Unit 13, Headquarters Bureaux and 4 Rural Research-cum-Training Centres are functioning

in the country. Six Survey Units have been established during 1975-76 in Uttar Pradesh to delimit the Filaria problem in the unsurveyed districts.

Committee to look into D.T.C. working

383. SHRI M. KATHAMUTHU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Committee appointed to look into the working of the D T C. has since submitted its report; and

(b) if so, the findings thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH): (a) No.

(b) Does not arise.

Research on Production of Vaccine for Malaria

384. SHRI R. N. BARMAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether in view of the re-appearance of Malaria, Government have considered the desirability of manufacturing a vaccine to deal with the menace;

(b) whether according to medical opinion production of such a vaccine is possible; and

(c) if so, facts of the research already being made or schemes formulated in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M ISHAQUE): (a) Yes.

(b) The present knowledge of production of malaria vaccine is in an experimental stage. Technological break-through for large scale production of malaria vaccine will require further research.

(c) Research in this respect is being conducted in India and other coun-

tries. In India, the Indian Council of Medical Research is supporting three research projects for development of immuno-prophylaxis methods against malaria at—

(i) National Institute of Communicable Diseases, Delhi.

(ii) Post-Graduate Institute of Medical Education and Research, Chandigarh; and

(iii) Bhaba Atomic Research Centre, Bombay.

Allocation to improve transport in Metropolitan Cities.

385. SHRI R. N. BARMAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) allocation made by the Union Government to improve transport in metropolitan cities of Calcutta, Madras, Bombay and Delhi during 1972, 1973 and 1974, each year.

(b) quantum of this allocation utilised and reasons for non-utilisation, if any; and

(c) whether there is any scheme to cover other big cities during 1976-77?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH):

(a) Loan assistance, to the extent indicated below, was sanctioned by the Government of India to the respective State Government/Undertaking during the relevant years for improvement of transport facilities in the metropolitan cities:—

Name of Metropolitan City	1972-73	1973-74	1974-75	1975-76
	(Rs. in lakhs)			
Delhi	257.50	585.21	792	730
Bombay	NIL	NIL	700	..
Calcutta	NIL	NIL	800	15
Madras	NIL	NIL	300	15

(b) The entire amount of loan assistance has been utilised by the Undertakings concerned.

(c) There is no such scheme in operation or under contemplation at present.

Progress of inquiry into Chasnala Colliery disaster

386. SHRI R. N. BARMAN: Will the Minister of LABOUR be pleased to state:

(a) what is the progress so far made to inquire into the Chasnala Colliery disaster; and

(b) by what time it will be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) Seven witnesses have been examined so far.

(b) It is not possible to give any specific indication of the time required for completion of the enquiry.

Accidents in Coal Mines

387 SHRI R. N. BARMAN: SHRI ROBIN SEN: SHRI K. M. MADHUKAR: SHRI B. S. BHAURA:

Will the Minister of LABOUR be pleased to state:

(a) the number of accidents that took place in coal mines in the coun-

try upto June 1976 since Chasnala accident and the number of persons killed and injured; and

(b) the steps taken to check such accidents?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) There were 101 fatal accidents in Coal mines upto June, 1976 since Chasnala accident causing death of 127 persons and serious injury to 13 others (The figures are provisional and subject to revision)

(b) Steps taken by the Government include —

1 Concerted drive to implement the recommendations of the special study made by the Chief Inspector of Mines in India on fatal accidents due to fall of roofs and sides in coal mines.

2 Setting up of an Accident Investigation Cell in the Directorate General of Mines Safety for survey of accident prone mines and identification of corrective measures

3 Augmentation of the strength of inspecting staff of DGMS in a phased programme to provide for increased inspection of mines

4 Special drive for identifying potential areas/mines where there is likelihood of danger of inundation and taking of necessary further action including closure of such areas.

5 Continued emphasis on safety in mines during normal inspection of mines.

6. Introduction in several mines of a system of call for safety to remind workers going on duty on the basic habits of personal safety.

7. Conducting of Safety Weeks in all mining areas to keep the spirit of safety consciousness alive.

Ship-Building Yards in Gujarat

388. SHRI ARVIND M. PATEL.
SHRI VEKARIA;

Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) the number of ship-building yards functioning in Gujarat State in public sector and in private sector with their locations,

(b) whether there is any proposal with the Government to establish ship-building yards in the Gujarat State,

if so the site selected therefor,

whether any survey has been conducted in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H M TRIVEDI) (a) One in public sector at Bhavnagar for construction of small craft. None in private sector

(b) and (c) Hazira in Gujarat is one of the sites being considered for setting up of shipyard in the Public Sector during the Fifth Plan period

(d) Ye. Sir

Arrests of Workers and Employers

389 SHRI BHOGENDRA JHA: Will the Minister of LABOUR be pleased to state the total number of workers and employees on the one hand the employers on the other, arrested or prosecuted for resorting to strikes, lock-outs and retrenchment, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): There is no provision under the Industrial Disputes Act, 1947 for arrest of workers and

employers for resorting to strikes, lock-outs, and retrenchments. As regard, prosecutions launched under the Act information is being collected from the State Governments who are appropriate Governments under the Act in case of large number of industries.

Arrests of landlords for non-payment of minimum wages

390. SHRI BHOGENDRA JHA: Will the Minister of LABOUR be pleased to state the total number of landlords arrested for denying minimum wages to agricultural workers, and keeping bonded-labourers, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): Bulk of the agricultural labour falls within the jurisdiction of State Governments. The powers for implementing the penal provisions of the Minimum Wages Act, 1948 and the Bonded Labour System (Abolition) Act, 1976, in their respective spheres of action, vest with the State Governments and the Central Government, therefore, does not have any information regarding the same.

Functioning of Postal Divisions in Orissa

391. SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the total number of postal divisions functioning in Orissa State;

(b) whether there is any proposal for creation of more divisions in the State;

(c) the number of Superintendents of Post Offices working in these divisions on ad hoc basis;

(d) whether there are serious allegations against some of these officers; and

(e) if so, the facts thereof and steps taken by the Government to weed out these corrupt officers for efficient administration?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) to (e). There are 13 postal divisions in Orissa Postal Circle, there being no proposal for creation of any new division. Of these, a few divisions are held by unapproved officers to be replaced shortly

There were a few complaints against some officers which are being enquired into

Opening of Branch Post Offices/Sub-Post Offices in Balasore, Orissa

392 SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of new Branch Post Office/Sub-Post Offices opened in the district of Balasore Orissa, after the relaxation of ban order for opening the New Post Offices;

(b) the number of proposals still pending with the department for sanction, and

(c) whether it is generally felt that the views of the people's representatives are not given due consideration while opening such offices in the district?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) 8 Branch Post Offices have been opened.

(b) 30 proposals are under consideration.

(c) No such instance has so far been noticed.

Malaria cases in States

393 SHRIMATI PARVATHI
KRISHNAN;
SARDAR SWARAN SINGH
SOKHI;
SHRI BIRENDER SINGH RAO;
SHRI VASANT SATHE

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the names of States facing malaria as epidemic;

(b) whether Government have taken any special steps to fight malaria in these States;

(c) if so, the outlines thereof; and

(d) whether W.H.O. have been consulted in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE) (a) Areas where the number of positive malaria cases is two or more per thousand of population are treated as high incidence areas. Such areas fall in almost all the States and Union Territories of the country but the malaria incidence is particularly high in the following States:

- (1) Andhra Pradesh
- (2) Gujarat
- (3) Haryana
- (4) Karnataka
- (5) Madhya Pradesh
- (6) Maharashtra
- (7) Orissa
- (8) Punjab
- (9) Rajasthan
- (10) Uttar Pradesh

(b) and (c). A statement indicating the steps taken is enclosed

(d) Yes. The World Health Organisation, South East Asia Regional Office, New Delhi, reviewed the mala-

ria situation in the South East Asia Region including India at a meeting held from 21st to 24th April, 1978.

Statement**Steps taken by Government for Controlling Malaria**

1 Increased quantity of various insecticides have been supplied to the States. Alternative insecticides are also being provided to the Units where the vector has become resistant to DDT

2 Adequate drugs have been provided under the National Malaria Eradication Programme and also made available through the trade channels. Where it is apprehended that the drugs may not reach through health staff, anti-malarials are being supplied through Panchayats and schools

3 Drug resistance studies are being carried out to delimit the extent of the problem of Chloroquine resistance in *P. falciparum* cases and to determine the drug regime effective against the same. To combat the situation, quinine tablets/ampoules have been supplied to the units required.

4 Modified Plan of Operation has been prepared. The existing units shall be re-organised

5 Anti-larval operations under Urban Malaria Programme have been intensified.

6 Supervision of the field staff has been toned up.

Minimum Wages Advisory Boards in States

394 SHRIMATI PARVATHI
KRISHNAN;
SHRI C. K. CHANDRAPPA

Will the Minister of LABOUR be pleased to state:

(a) in how many States the functioning of the Minimum Wages Advisory Board is going on properly;

(b) whether Government have made any survey regarding the payment of minimum wages to agricultural workers, hostelry and powerloom workers in the States;

(c) if so, the facts thereof; and

(d) the names of the States where it is not yet implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) The subject matter falls within the jurisdiction of State Governments.

(b) No Sir, except in respect of minimum rates of wages in agriculture regarding which we have been in close touch with the State Governments both on the need for revision of wages as well as on the need to ensure effective implementation of the Act

(c) and (d). Do not arise

Holiday Homes for Industrial Workers

395. SARDAR SWARAN SINGH SOKHI: Will the Minister of LABOUR be pleased to state:

(a) whether Government propose to open Holiday homes for industrial workers in the country; and

(b) if so the areas, places and the charges?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). According to readily available information a number of State Governments have set up Holiday Homes for industrial workers such as Haryana (at Hardwar), Delhi Administration (at Muesorie and Hardwar) Gujarat (at Atubharat, Tithal, Chorwad, Tulsi Shyam Shuklatirth

and Pavagadh). Tamil Nadu have also decided to set up holiday homes at Courtallam and Manallapuram Industrial Workers are generally allowed free use of Holiday Homes as for instance in the case of Haryana or charged nominal rates as in the case of Delhi Administration where workers getting less than Rs. 500 per month are required to pay Re. 1 and those getting more than Rs. 500 per month, Rs 2 per day per suite. Governments of Nagaland, Pondicherry, Andaman & Nicobar Islands, Bihar, Chandigarh Administration, Arunachal Pradesh and Andhra Pradesh have neither set up any holiday homes nor have any such proposal at present.

The Ministry of Railways and Posts and Telegraphs Department have also set up Holiday Homes at hill stations and sea-side resorts for their staff.

Press Report 'Family Planning must for Medical Students'

396. SHRI JAGANNATH MISHRA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government's attention has been drawn to the news 'Family Planning must for medical students' published in local daily dated 3rd July, 1978; and

(b) if so, the reaction of the Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Yes, the Press Report is based upon the decision taken by Medical Council of India. The Government, welcomes this decision to include the teaching of Family Planning in the curriculum for medical students.

**Act passed by State Governments
for Compulsory Family Planning**

**397. SHRIMATI ROZA DESHPANDE:
SHRI VAYALAR RAVI:**

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the names of the States which have enacted compulsory family planning;

(b) the number of motivated camps for family planning being run in the Union Territories;

(c) the reaction of the people;

(d) whether Government have taken any steps to educate the people in favour of family planning; and

(e) if so the outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) None of the States has as yet enacted a Law on compulsory family planning.

(b) According to the information available 67 motivational camps were held in Delhi and 125 in the Union Territory of Pondicherry.

(c) It has been favourable and responsive.

(d) and (e). Yes, Sir. A country-wide campaign through all media of publicity such as Radio, Television, Press, Films etc. has been undertaken to educate and motivate the people.

STD Facilities to State Capitals

398. SHRI K. SURYANARAYANA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether STD facilities are extended to all the State capitals of the country;

(b) if so, how many State capitals are connected to Delhi by STD and how many are still to be connected; and

(c) the target dates for extending the above facilities to State capitals still not connected?

THE MINISTER OF COMMUNICATIONS (DR. SHANKAR DAYAL SHARMA): (a) Not yet.

(b) Out of 21 State Capitals, the following 11 are now connected by STD to Delhi:—

1. Bombay—Maharashtra.
2. Bhopal—Madhya Pradesh.
3. Gandhinagar—Gujarat.
4. Chandigarh—Punjab & Haryana.
5. Jaipur—Rajasthan.
6. Lucknow—Uttar Pradesh.
7. Madras—Tamil Nadu.
8. Patna—Bihar.
9. Simla—Himachal Pradesh.
10. Srinagar—Jammu & Kashmir.
11. Trivandrum—Kerala.

The remaining 10 State Capitals are still to be connected.

(c) The programme for connecting the remaining State Capitals to Delhi is as below:—

1. Bangalore (Karnataka)
2. Bhubaneshwar (Orissa).
3. Dispur (Assam).
4. Calcutta (West Bengal).
5. Hyderabad (Andhra)
6. Shillong (Meghalaya).

1976-77

The rest of the Capitals viz. Gangtok, Imphal, Kohima and Agartala are likely to be connected to Delhi after suitable medium becomes available and a Trunk Automatic Exchange is established at Shillong by the end of the Fifth Plan.

Shipping Tonnage

399. SHRI S. R. DAMANI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the extent of utilisation of the existing shipping tonnage of the country and its working results during the last three years; and

(b) the targets set for creation of additional shipping tonnage of the country during the Fifth Plan period and how much of it is under execution?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) During the last three years ending 1974-75, our ships have carried respectively 18.9 per cent 22.4 per cent and 27.8 per cent of the country's total trade.

(b) In the Draft Fifth Plan Document, an operative tonnage of 8.64 million GRT has been tentatively indicated for end of V Plan. As on 1st July, 1976, the operative tonnage was 4.90 million GRT and another 0.7 million GRT was under construction.

Demand for Steel Products

400. SHRI S. R. DAMANI: Will the Minister of STEEL AND MINES be pleased to state:

(a) the position of demand pick up for steel products in the current year;

(b) the latest stock position at production centres and at HSL steel yards, quantity and value-wise;

(c) the quantity estimated to become available for export in the current year; and

(d) the contracts, if any, signed already and negotiations being carried on to find further outlets for export?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) There has been some increase in sales of steel items by the integrated producers in the first four months of the current year as compared to the corresponding period of the last year.

(b) The stock position of saleable steel and pig iron as on August 1, 1976 at the production centres and stockyards of HSL is given below:—

	Thousand Tonnes	Value in crores of Rupees
Stocks with plants	140.9	11.272
Stocks with the stockyards	855.3	162.507
Total	996.2	173.779

(c) and (d). The export target for iron and steel is 2.5 million tonnes during the current year. Actual shipments during the period April-July, 1976 came to about 0.861 million tonnes valued at about Rs. 107 crores. Outstanding firm orders as on 1st August, 1976 still to be executed are of the order of 1.1 million tonnes valued at about Rs. 170 crores.

Intensification of Family Planning

401. SHRI S. R. DAMANI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the family planning programme has been intensified in recent months;

(b) if so, the measures taken by each of the State Governments and Union Territories; and

(c) what is the expected decline in birth rate at the end of the current Plan period?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) Each of the State Governments and Union Territories is responsible for implementation of the Family Planning in its territory. Annual targets of achievement have been fixed for all the States/Union Territories. Some of the States have, on their own fixed higher targets to be achieved during the current year. For this purpose they have geared up their machinery to intensify the programme. Some of the specific measures adopted by most of the States are given in the attached statement.

(c) In the event of achievement in full of the targets fixed for the remaining period of the Fifth Five Year Plan, it is expected that at the National level the birth rate may come down to about 30 per thousand at the end of the Plan.

Statement

(1) Steps have been taken to ensure a greater involvement of all the Departments of the Government, Voluntary Organisations, Local Bodies Zila Parishads, Panchayats, Industrial Sector and Private Organisations.

(2) In certain States specific targets have been assigned to all the Departments of the Government, Local Bodies etc. Even the Family Planning Workers have been instructed to fulfill the prescribed target within a specified period.

(3) High-level Coordinating and Supervisory Bodies like State Cabinet Committee on Family Planning, State Family Planning Council and

Implementation Committees have been formed where they were not already existing. The progress of Family Planning Programme is closely watched by State Ministers and Government officials through these bodies.

(4) Strict vigilance is being exercised on the Government officials engaged in Family Planning Programme to ensure their maximum output in showing the results. Strict action is being taken against those whose performance is not satisfactory. Instructions have also been issued to weed out the workers who are not showing any improvement in performance.

(5) Many States/Union Territories have adopted special schemes of introduction of incentives and disincentives among the Government employees and general public and also giving of awards for best performance in order to implement the Programme vigorously and effectively.

(6) Some of the State Governments have supplemented the Family Planning funds and infrastructure from their own resources.

(7) Special campaigns like Mini Sterilisation Camps, 'Family Planning Fortnight' and 'Family Planning Month' are being held in most of the States.

(8) Prime Minister has also written to all the Chief Ministers exhorting them to take personal interest in the implementation of the programme and to keep her informed of the action taken by them. The Chief Ministers are taking active part in pushing up the Programme.

Steel Export

402 SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the country is exporting steel which is not being consumed in the domestic industrial product;

(b) if so, whether any discussion or meeting was held between the Ministry of Steel and Mines and Ministry of Industry to find a way out; and

(c) whether the target of steel production in our country is still below the level?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Iron and Steel to the extent surplus, after meeting the domestic demand in full, are being exported.

(b) Export policy is formulated annually in consultation with the concerned Ministries/Departments including the Ministry of Industrial Development.

(c) The target of production of saleable steel from the six integrated steel plants for 1976-77 is 6.465 million tonnes. This includes a production of 7,20,000 tonnes from Bokaro Steel Plant, where some of the units have still to be commissioned. Excluding Bokaro, the remaining targetted production represents 85.4 per cent of overall capacity of the other five plants.

Progress made in Family Planning

403. **SHRI DHAMANKAR:** Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) progress made so far in the field of Family Planning and the target fixed during the current year as against last year for different States;

(b) the basis on which targets of family planning have been fixed for various States and steps taken to ensure that performance targets are achieved and lacunae and bottle-necks removed promptly; and

(c) the estimated projections of targets for 1976-77 for sterilisation, I.U.D. insertions, conventional contraceptives and other methods?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Since the beginning of the programme, a total of 19.46 million sterilisations and 6.16 I.U.D. insertions have been done upto June, 1976 and 2.56 million couples are estimated to be using other F.P. methods like conventional contraceptives and Oral pills. As on 30-6-1976, 18.2 per cent of the estimated 104 million eligible couples whose wives are in the reproductive age group of 15-44 years are estimated to be currently protected by the various F.P. methods. As a result of work done so far, 25.61 million births are estimated to have been averted upto June, 1976. The birth rate has been estimated to have come down to about 35 in 1975-76 as compared to about 41 during 1961-71.

A statement giving the State-wise targets for the years 1975-76 and 1976-77 is laid on the Table of the House [Placed in Library See No. LT-11057/76].

(b) The annual targets at all India level are fixed keeping in view the targetted reduction in birth rate to 30 per 1000 population by the end of fifth plan. The national target of total acceptors is then distributed among States/U.Ts. taking into account the size of population and its rural/urban break-up, expenditure on family planning, female literacy, level of economic development and gap in the coverage of targetted couples.

The Government is keeping a close watch over the performance of various States every month and concurrently evaluating the programme. Senior Officers of the Department of Family Planning are regularly visiting the States to identify lacunae and bottle-necks and steps are taken to remove the same. The monetary compensation for sterilisations (both male & female) has been raised in accordance with the National Population Policy. Some States have introduced a series

of incentives and disincentives to promote family planning.

(c) The reply to this question is already contained in Part (a).

Same Day Postal Local Delivery Service in Delhi

404. SHRI DHAMANKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) to what extent the 'Same day postal delivery service' recently introduced in the capital has met with success;

(b) whether such postal service is proposed to be introduced in other important towns and cities and State capitals; and

(c) whether any similar steps are proposed to be taken to bring about efficiency and promptness in the quick delivery of out-station dak which often takes unduly long-time to reach the addressees, if so, the outlines thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) The Scheme has been successful and has been appreciated by the public.

(b) Encouraged by the response met with in the Capital, the scheme has been introduced at Srinagar, Ambala, Chandigarh, Lucknow, Patna, Shillong, Calcutta, Bhubaneswar, Hyderabad, Madras, Trivandrum, Bangalore, Bombay, Ahmedabad, Jaipur and Bhopal from 15-7-76; the scheme is being introduced in Pune from 9-8-76 and at the remaining State capitals at Jammu, Aizawl, Itanagar, Kohima, Imphal, Agartala, Dispur (Gauhati) Panaji, Silvassa, Gangtok, Simla and Pondicherry from 16-8-76.

(c) The mail and delivery arrangements are now constantly being reviewed and effective measures are being taken to improve mail arrange-

ments in the outlying areas. Regular testing of mail routes is being undertaken at all levels and results analysed. Bottlenecks are located and transmission system is streamlined to eradicate delays and to ensure that mail all over the country is despatched by the quickest available transport facility.

Loss of Fishing Crafts

405. SHRI DHAMANKAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the extent of Union Government help and assistance rendered to the afflicted inhabitants and their families who suffered an unprecedented loss of human lives and fishing crafts etc. as a result of the havoc played by the recent cyclone in June, 1976 in the Arabian Sea, near Bombay Coast;

(b) whether the Posha-Pir rocks in the sea near Basin on the Bombay Coast, where huge mass of silt, and sand had accumulated and were responsible for frequent fishing tragedies in the past, have been cleared up;

(c) whether it is proposed to erect a lighthouse at the spot to give timely warning and to widen and deepen the narrow and shallow route so as to provide smooth and safe navigation passage; and

(d) if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) A sum of Rs. 22,000/- has been given from the Prime Minister's National Relief Fund to be disbursed to the families of those fishermen who lost their lives during the aforesaid cyclone. The amount is being disbursed by the Government of Maharashtra to the 22 families of 22 fishermen who lost their lives, at the rate of Rs. 1,000 per family.

(b) The question of clearing up the silt will be considered after the monsoon.

(c) and (d). The State Government propose to provide a lighthouse at Poshu Pir for the guidance of the fishermen. The work is likely to be started after the monsoons are over.

Incentive for Sale of Nirodh

406. SHRI K. MALLANNA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government have given some new incentive for sale of Nirodh recently; and

(b) the broad outline of the scheme of Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). To stimulate sale of Nirodh through Depot Holders, Government has revised selling price from 5 to 12 paise for 3 pcs. and has allowed the Depot Holders to retain the entire sale proceeds as an incentive.

The Depot Holders Scheme was introduced in 1969 to promote Nirodh in rural areas. Under this scheme Nirodh stocks are supplied by the Government free of charge to Depot Holders and they are allowed to salafat the rate of 12 paise for 3 pieces and retain the entire sale proceeds as incentive. The scheme which was earlier operated through largely post offices, is now sought to be broad-based by including New avenues like community leaders, Panchayats and National Savings Organisation etc.

There is also a scheme in operation since 1968, referred to as the Commercial Distribution Scheme, under which some large distributing companies of consumer goods are sold Nirodh by Government at a subsidised price of 16 paise for 3 pieces. The companies sell these to their retailers @ 20 paise for 3 pieces and the retail-

ers in turn sell the Nirodh to the consumers @ 25 paise for 3 pieces. Under this scheme wholesaler keeps a margin of 4 paise largely to cover the cost of handling and distribution and the retailer earns a profit of 5 paise for 3 pieces. This scheme is introduced in order to make Nirodh easily available through commercial channels through a very large number of sale points. There are 2 lakhs retail outlets in operation under this scheme.

Delhi School Children in Ladies Specials

407. SHRI ISHAQUE SAMBHALI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether in Delhi special bus service has been started for ladies only;

(b) if so, the particulars thereof;

(c) whether Government are aware that schoolgoing children find it very difficult to get into ordinary buses; and

(d) if so, whether school-children up to a certain age limit will be permitted to travel in ladies specials?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH): (a) Yes.

(b) 80 trips have been introduced with effect from the 1st July, 1976, on various routes to run as "Ladies Specials" during the peak traffic hours.

(c) No such difficulty has been reported.

(d) No such proposal is under consideration. The timings of schools are different from those of offices and commercial establishments. The services already provided are considered to be adequate by the DTC to meet the requirements of school going children who depend on public transport.

Increase in Registered Unemployed

408. SHRI KRISHNA CHANDRA HALDER: Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that during the last one year the number of unemployed registered with Employment Exchanges has increased by 9 lakhs; and

(b) if so, the reaction of Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) The number of job-seekers (all of whom are not necessarily unemployed) on the Live Register of Employment Exchanges increased from 84.33 lakhs as on 31-12-1974 to 93.26 lakhs as on 31-12-1975.

(b) The Government are fully conscious of the unemployment problem and all possible efforts are being made to meet the situation. The employment strategy adopted in the Fifth Five Year Plan is to provide employment opportunities through the implementation of Plan programmes in different sectors, such as, agriculture, irrigation, power generation, command area development of major irrigation systems, cottage, small and medium industries, social services, trade, commerce and other tertiary and allied activities etc. All these programmes are expected to generate substantial job opportunities in different States. In addition, the 20-Point Economic Programme, currently under implementation, would substantially accelerate the generation of employment opportunities. Mention may be made, in this context, of the apprenticeship scheme and special schemes for the development and strengthening of handloom industry. Some State Governments are launching or expanding programmes for rural areas for the creation or improvement of durable assets, such as, Well, tanks, canals etc. as a part of

Plan schemes for rural development. These programmes, which are labour intensive will also help to create additional employment opportunities.

Alumina Plant in Orissa

409. SHRI D. K. PANDA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Orissa State Government have made a demand to have the Alumina Plant in the State; and

(b) if so, the facts thereof and Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). Yes, Sir. In November, 1974 the Government of Orissa requested the Central Government to take steps to set up a 1,00,000-tonne capacity alumina plant in Orissa based on the newly discovered bauxite deposits.

Since then, in the last two years, geological investigations have established more reserves of usable bauxite particularly in the East Coast Range in Orissa as well as Andhra Pradesh. A programme of 'proving' these bauxite reserves is now under way. Plans for exploitation of the deposits will be formulated on the basis of the results of the 'proving' operations.

Diplomatic Relations with Pakistan and China

410. SHRI D. K. PANDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) how far the diplomatic relations with Pakistan and China have improved;

(b) the follow-up action taken in that direction; and

(c) the latest developments in good neighbourly relations between India and Pakistan?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) to (c). Following the agreement reached between the Foreign Secretaries of India and Pakistan in May this year in Islamabad, diplomatic relations were resumed from the 24th July 76. It was also agreed to restore the severed communication links between the two countries. Accordingly, an agreement on rail links was signed on 28th June, and another on air links and overflights was signed on 16th July this year.

In regard to China, in pursuance of the announcement on the 15th April this year in the Lok Sabha about the decision to restore the representation in each others' capitals to the ambassadorial level, India's Ambassador to China presented his credentials in Peking on 24th July 1976. It is understood that China's Ambassador to India would be in position in Delhi shortly.

These developments are in keeping with our consistent policy to improve and strengthen bilateral relations with all our neighbours in order to promote the cause of peace and stability in the Asian region.

Visit to London by Shri Hitendra Desai

412. SHRI D. K. PANDA:
SHRI B. S. BHAURA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Shri Hitendra Desai had paid a visit to London recently;

(b) if so, the gist of experiences gained during his visit especially to Southall;

(c) whether a section of Indians in Britain are trying to distort the Indian image; and

(d) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Shri Hitendra Desai visited Britain from 6th June to 16th June 1976.

(b) He met a large number of people of the Indian community, explained the current situation in India and the great gains the country has made. He addressed a number of meetings and also visited Southall on June 14 where he met the representatives and leaders of various sections of the Indian community. Shri Desai's visit was welcomed by the Indian community in general.

(c) Yes, Sir. These are mostly communalists and extremists.

(d) Government has made efforts and will continue to endeavour to explain to the Indian community abroad the situation in India in proper perspective in order to remove their misunderstandings.

Copper Deposits in Mayurbhanj District of Orissa

413. SHRI YAMUNA PRASAD MANDAL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether huge deposits of copper have been struck in Mayurbhanj District of Orissa; and

(b) if so, the quantity struck and its economic utility?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). No, Sir. Only a small deposit of 1.66 million tonnes of reserve, with around 1.59 per cent copper on average, has, so far, been located by the Geological Survey of India in Kasarpur area of Mayurbhanj District.

S.T.D. Facilities to Small Towns and Rural Areas

414. SHRI YAMUNA PRASAD MANDAL: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government propose to provide STD facilities in small towns and rural areas; and

(b) if so, the names of such towns and rural areas in which the facilities would be provided during the current year?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) The provision of Subscriber Trunk Dialling facilities to small towns and rural areas is under consideration of the Government.

(b) There is no proposal to extend the S.T.D. facility to small towns or rural areas during the current year.

Hydrogen Gas located near Colgong, Bihar

415. SHRI BIBHUTI MISHRA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government's attention has been drawn to a news item in Patna Daily dated the 27th June, 1976 entitled 'Hydrogen gas located near Colgong';

(b) whether any enquiry or survey has been made in this regard; and

(c) if so, the findings thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Yes, Sir.

(b) and (c). Geological Survey of India have investigated the gas occurrence at Colgong, and the sample collected has been sent for analysis to Regional Chemical Laboratory, the result of which is awaited.

पशुपतिनाथ मन्दिर में भारतीय तीर्थयात्रियों को पीटा जाना

416. श्री बिभूति मिश्र : क्या विदेश मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने पशुपतिनाथ मन्दिर में भारतीय यात्रियों की पिटाई के बारे में जानकारी प्राप्त की है; और

(ख) भविष्य में ऐसी घटनाएं न होने देने के लिए सरकार ने क्या कार्यवाही की है ?

विदेश मंत्रालय में उपमंत्री (श्री बिपिनपाल दास) : (क) जी हां।

(ख) हमारे राजदूत ने स्वयं इस मामले की ओर नेपाल के विदेश मन्त्री का ध्यान आकृष्ट किया था। भारत सरकार आशा करती है कि नेपाल की सरकार उस देश के घमं स्थानों की यात्रा पर जाने वाले भारतीय तीर्थयात्रियों को पूरा-पूरा संरक्षण प्रदान करेगी।

Meeting of Heads of Missions of India, Pakistan & Bangladesh in London on Racial Situation in Britain

417. SHRI BIBHUTI MISHRA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Heads of Missions of India, Pakistan and Bangladesh met in London on the 17th June, 1976 to review the racial situation in Britain;

(b) if so, the main decisions arrived at; and

(c) whether any solution has so far been found out?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir.

(b) and (c). Consultations among the three missions were initiated towards the end of May 1976. Since then they have been jointly in touch with the British authorities and have met each other from time to time to review the situation. The meeting of the three Envoys on 17th June was a part of this process. They welcomed the statement made by the British Prime Minister and other British leaders assuring the immigrant community of protection under the law on the basis of complete racial equality. They decided to remain in constant touch with the British Government with regard to concrete measures that the authorities concerned may take to create a climate of racial harmony.

ठंडा पानी बेचने वाली कम्पनियों द्वारा मजदूरों को कम मजदूरी का भुगतान

418. श्री जालंधरी भाई : क्या भ्रम मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में ठंडा पानी बेचने वाली कम्पनियां पानी बेचने वाले मजदूरों को 12 घंटे काम करने पर केवल 2.50 रुपये प्रतिदिन देते हैं और सरकार द्वारा निर्धारित 8 घंटे की इयूटी का भेदन नहीं देते हैं;

(ख) क्या इन मजदूरों से 8 घंटे से अधिक का कार्य बिना किसी मुआवजे के लिया जाता है और इन्हें कोई सुविधा नहीं दी जाती है; और

(ग) यदि हाँ, तो इस समस्या के समाधान के लिये सरकार का विचार क्या उपचारार्थ कार्यवाही करने का है ?

भ्रम संसद में संप्रती (श्री जालंधरी भाई) : (क) की गई तहकीकातों के यह फातल हुआ है कि दिल्ली में ठंडा पानी बेचने वाले व्यक्तियों को सामान्यतया बिना पर 3 प्रतिघट की न्यूनतम कमीशन सहित

प्रति-माह रु० 60 से रु० 70 तक नियोजित किया जाता है।

(ख) और (ग). सुचना मिली है कि दिल्ली प्रशासन के अधीन सम्बन्ध प्राधिकारों को इस बारे में कोई विशिष्ट निकायों प्राप्त नहीं हुई हैं।

Recommendation of Workshop held by Indian Council of Medical Research

419. SHRI K. M. MADHUKAR:
SHRI C JANARDHANAN:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether a workshop held recently by the Indian Council of Medical Research with the help of W.H.O. has revealed some startling facts about Indian hospitals;

(b) if so, the outlines thereof;

(c) whether the workshop has made some recommendations to solve the problem of hospital infections; and

(d) if so, the salient features thereof and Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). The jointly sponsored ICMR-WHO Workshop on microbiological investigation on nosocomial and streptococcal infections was held in January, 1976. This discussed the various statistical information already available in the form of published papers on hospital infections. No new startling facts were revealed at the time of the Workshop.

(c) and (d). The Indian Council of Medical Research have already set up 3 national reference centres to deal with streptococcal, staphylococcal and pseudomonas infections. The recommendations of the Workshop were considered in a meeting held in the

Indian Council of Medical Research in July, 1976. The minutes of that meeting have been placed on the Table of the House.

Approval for the Introduction of Compulsory Family Planning

420. SHRI RAM PRAKASH: Will the Minister of HEALTH AND FAMILY PIANNING be pleased to state;

(a) whether Haryana Government has sought approval for the introduction of compulsory family planning in the State; and

(b) if so, the decision of the Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) The matter is under consideration.

Emancipation and Rehabilitation of Bonded Labourers

421. SHRI RAM PRAKASH:
SHRI SOMNATH CHATTERJEE:
SHRI VAYALLAR RAVI:
SHRI M. S. PURTY:

Will the Minister of LABOUR be pleased to state:

(a) the number of bonded labourers emancipated upto June, 1976 State-wise; and

(b) how many of them have been rehabilitated?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). A statement is placed on the Table of the House.

Statement

S. No.	Name of the States	Upto June, 1976	
		No. of Emancipated bonded labourers	No. of Rehabilitated bonded labourers
1.	Andhra Pradesh	826	698
2.	Bihar	581	..
3.	Karnataka	27,195	..
4.	Madhya Pradesh	2,439	..
5.	Orissa	95	95
6.	Rajasthan	4,974	1,394
7.	Tamilnadu	2,416	1,136
8.	Uttar Pradesh	19,166	2,498

T. V. Sets and Radios to persons having done Outstanding Work in the Family Planning

422. SHRI S. A. MURUGANAN-THAM:

SHRI B. S. BHURA:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government have received a number of T. V. sets, radios etc. from the manufacturers, to be presented to persons or institutions having done outstanding work in the family planning campaign; and

(b) if so, number of such things received and names of the manufacturers who have presented them to the Government?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No, Sir.

(b) Does not arise.

सरकारी तथा गैर-सरकारी क्षेत्रों में प्रबन्ध में श्रमिकों को भागीदार बनाने की योजना

423. श्री रामावतार शास्त्री : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्पादन बढ़ाने तथा अन्य समस्याओं को हल करने की बात को ध्यान में रखते हुये 20-सर्वा आर्थिक कार्यक्रम में सरकारी और गैर-सरकारी उद्योगों के प्रबन्ध में श्रमिकों को भागीदार बनाने की बात कही गई है ;

(ख) यदि हां, तो पिछले एक वर्ष में जिन सरकारी और गैर-सरकारी कारखानों में इस प्रकार की व्यवस्था की गई है, उनके प्रत्येक पृथक नाम क्या हैं ; और

(ग) अन्य कारखानों में इस प्रकार की व्यवस्था प्रारम्भ न करने के क्या कारण हैं तथा सरकार द्वारा इस सम्बन्ध में क्या कार्यवाही करने का विचार है ?

श्रम मंत्रालय में उपमंत्री (श्री बाल गोविन्द वर्मा) : (क) जी हां ।

(ख) सभी राज्यों और संघ शासित क्षेत्रों में उन एककों के नामों की पूर्ण सूची उपलब्ध नहीं है जिन्होंने उद्योग में श्रमिकों द्वारा भाग लेने सम्बन्धी योजना को कार्यान्वित किया है ; तथापि, जैसा उनके द्वारा सूचित किया गया है, ऐसे एककों को अनन्तिम संख्या 924 है । जहाँ तक केन्द्रीय सरकार के सरकारी क्षेत्र के एककों का सम्बन्ध है, उनमें 472 ने या तो योजना को कार्यान्वित किया है या कार्यान्वित करने की कार्रवाई प्रारम्भ की है ; इन एककों को एक सूची सदन की मेज पर रखी गई है । [प्रचालय में रखी गई । देखिए संख्या एल० टी० 11058/76] ।

(ग) इस योजना का सबसे स्वागत किया है और यह पहले ही सारे देश में कार्यान्वयन की प्रक्रिया में है । 500 से कम कर्मचारी नियोजित करने वाले अनेक एककों, जो योजना के अन्तर्गत नहीं आते हैं, ने भी इसके उद्देश्यों को कार्यान्वित किया है ।

छंटनी तथा जबरन छुट्टी पर रोक

424. श्री रामावतार शास्त्री : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आपात स्थिति की घोषणा और संसद् द्वारा विधेयक पारित किये जाने के बावजूद देश के विभिन्न भागों में छंटनी, जबरन-छुट्टी तथा तालाबन्दी जारी है ;

(ख) यदि हां, तो 31 जुलाई, 1976 तक इस प्रकार की घटनाओं एवं उनसे प्रभावित मजदूरों की राज्यवार संख्या क्या है ; और

(ग) सरकार ने किस मासिकों की इस बँट-कानूनी एवं मजदूर-विरोधी कार्यवाही को बन्द करने के लिये क्या कार्यवाही की है?

अब मजदूरों में उपर्युक्त (बी) वाला योजित्व बर्दा : (क) से (ग). सूचना एकत्र की जा रही है और प्राप्त होने के बाद तब की सेज पर रख दी जायेगी ?

Minimum Wages for Farm Labourers

425. SHRI SOMNATH CHATTERJEE: Will the Minister of LABOUR be pleased to state:

(a) the names of the States and Union Territories where Minimum wages for farm labourers have been revised upto-date since 1974;

(b) old wage rates and revised rates State-wise;

(c) whether it has been alleged that in many States and in many districts of some States, the revised wage rates are yet to be implemented; and

(d) if so, the facts thereof and the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Statement giving required information is laid on the Table of the House. [Placed in Library. See No. LT-11059/76].

(c) and (d). Only to cases of allegations of non-payment of minimum wages to agricultural workers have come to the notice of Government—one in Surat District of Gujarat and the other in Hooghly District of West Bengal. The concerned State Governments, who are the appropriate Government under the Minimum Wages Act, 1948, have been requested to take appropriate action in the matter.

New Family Planning Policy

426. SHRI SOMNATH CHATTERJEE: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the salient features of the new family planning policy recently announced by the Government;

(b) whether he has received any allegations of misuse of Government decision regarding sterilisation and vasectomy;

(c) if so, the facts thereof; and

(d) what steps are being taken to educate the people on the need for planned parenthood?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) The salient features of the National Population Policy announced on 16th April, 1976, which was laid on the Table of the Lok Sabha are indicated in the statement enclosed.

(b) and (c). No such allegation has been received.

(d) A country-wide publicity campaign has been launched to put across the new policy before the people and to motivate them to accept family planning as a way of life. All available media are being utilised. The Ministry of Information and Broadcasting and publicity set-ups in the States are involved in the campaign.

Statement

Salient features of the National Population Policy

(a) The minimum age of marriage shall be raised to 18 for girls and 21 for boys and suitable legislation to this effect will be passed. Offences under this law will be cognizable by an Officer not below the rank of Sub-Divisional Magistrate.

(b) The question of making the registration of marriages compulsory will be actively considered.

(c) Representation in the Lok Sabha and the State Legislatures will be frozen on the basis of the 1971 census until the year 2001. Necessary constitutional amendment will be brought forward during the current year. Appropriate legislation for other elective bodies will also be undertaken.

(d) In all cases where population is a factor, as in the allocation of Central Assistance to State Plans, devolution of taxes and duties and grants-in-aid, the population figures of 1971 will continue to be followed till the year 2001. In the matter of Central Assistance to State Plans eight percent will be specifically earmarked against performance in family planning.

(e) Special measures will be taken to raise the level of female education upto the middle level as well as non-formal education plans for young women and to improve child nutrition programmes.

(f) Monetary compensation for sterilisation (both male and female) will be raised to Rs. 150 if performed with two living children or less, Rs. 100 if performed with three living children and Rs. 70 if performed with four or more children.

(g) Group incentives will be introduced in a bold and imaginative manner so as to make family planning as a mass movement with greater community involvement.

(h) Full rebate will be allowed in the income-tax assessment for amounts given as donations for family planning purposes.

Shipyard at Haldia

427. SHRI SOMNATH CHATTERJEE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether he had recently said in Calcutta, that before any decision was taken for building a new shipyard at Haldia, it had to be determined whether the available facilities in the existing shipyards could help meet the country's needs;

(b) if so, facts thereof;

(c) whether Government have finally decided not to set up the proposed shipyard at Haldia; and

(d) if so, grounds on which it has been so decided?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) and (b). Yes, Sir. The extent to which the available facilities in the existing shipyards could meet the country's needs has, to be taken into consideration before taking a decision on the establishment of new shipyards involving heavy capital expenditure.

(c) No, Sir.

(d) Does not arise.

China's Support for Indo-Pak Ties

428. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have seen the recent press reports regarding China's support to Pindi for ties with India; and

(b) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI RUPINPAL DAS): (a) Yes, Sir.

(b) The Government of India would welcome any expression of support to the process of normalisation of relations between India and Pakistan within the framework of the Simla Agreement.

Expansion of P&T facilities in rural areas

439. **SHRI RAGHUNANDAN LAL BHATIA:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether his Ministry has taken any steps during the last three months for further expansion of P&T facilities in rural areas particularly in Punjab;

(b) if so, whether facilities would be made available at block headquarters; and

(c) if so, the facts thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) A drive was undertaken in the months of April, May and June, 1976 for expansion of postal facilities in rural areas. The achievements made are as follows:—

	In the Country as a whole:	In Punjab State:
1. Post Office opened in rural areas	192	38
2. Letter Boxes planted	7640	665
3. Agents appointed for sale of stamps and stationery	734	27
4. Opening of Rural Mobile Post Offices	199	3
5. Additional villages brought under daily delivery	25664	All villages in Punjab State are getting daily delivery.

(b) and (c) All the Block headquarters in the country are provided with Post Offices except 4 in Bihar Circle and 6 in U.P. Circles.

Despatch of Frigates and Planes to Kenya from Diego Garcia Base of U.S.A.

430. **SHRI INDRAJIT GUPTA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the U.S. Indian Ocean base of Diego Garcia has recently been used to despatch naval frigates and planes to Kenya as a "show of force";

(b) whether this action amounts to U.S. intervention in Kenya's dispute with her neighbour Uganda;

(c) India's reaction to such gun-boat diplomacy by the U.S. Government; and

(d) whether the Non-aligned Group of nations has been asked by Government of India to demand dismantling

of the Diego Garcia base as a threat to peace?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) to (d). The Government has seen reports that the United States has established a pattern of routine Indian Ocean operations using the base of Diego Garcia and that a Naval Frigate was recently dispatched to the Port of Mombasa and a P-3 Orion anti-submarine aircraft to Nairobi. According to further press reports, the dispute of Kenya with Uganda has been settled by mutual discussion.

India's views on the United States' move to set up a full-fledged base at Diego Garcia are well known and have been reiterated in this House before. India, along with other Non-aligned countries, has supported the U. N. resolution on the establishment of Indian Ocean as a Zone of Peace. This was also reiterated by the Lusaka Summit in 1970, the Algiers Summit in 1972, the meeting of Non-aligned Foreign Ministers at Lima in August

1975 as well as the Algiers Bureau meeting of Foreign Ministers in May June 1976.

Criteria for membership of Non-Aligned Group of nations

431. SHRI INDRAJIT GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether proposals have been received from certain States for revising the criteria for membership of the Non-Aligned Group of nations; and

(b) if so, details thereof, and Government of India's reaction to the proposals?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) No Sir. However, some Non-Aligned States have expressed the view that a flexible approach should be adopted regarding application of the existing criteria in the case of observers and guests.

(b) It is our feeling that any relaxation of the criteria would adversely affect the identity and cohesiveness of the non-aligned movement.

New Race Relations Act passed in U.K.

432. SHRI INDRAJIT GUPTA Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) in what respects the new Race Relations Act, passed by the British Parliament, safeguards the status and rights of Indian citizens who are living and working in U.K.;

(b) whether the recent wave of propaganda in U.K. against Asian immigrants has been encouraged by the B.B.C. and certain sections of the British Press; and

(c) if so, whether Government have taken up the matter with the

U.K. authorities and the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The Race Relations Bill, which is still under consideration of the British Parliament envisages the strengthening of measures against racial discrimination in Britain. It will apply to all persons in Britain including Indian citizens and persons of Indian origin. Among other things, the Bill widens the definition of racial discrimination, makes it unlawful for clubs or voluntary bodies to discriminate in the matter of admission of members and bans the publication of discriminatory advertisements. The existing Race Relations Board and Race Relations Commission would be merged into one and entrusted with greater power and wider responsibilities. Victims of discrimination would be able to institute proceedings in courts of law to obtain redress without being required, as at present, to put their case to a statutory agency.

(b) and (c). Certain sections of the British Press have indulged in irresponsible reporting. The Government of India has drawn the attention of the British authorities and the Press to the grave consequences of irresponsible comment in the mass media on the safety and welfare of the immigrant community and on racial harmony in Britain.

London Police clash with Indians

433. SHRI INDRAJIT GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether London Police clashed with West Indian and Asian immigrants demonstrating against racial discrimination in U.K. recently;

(b) if so, the facts thereof; and

(c) Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir.

(b) On 11th July 1976, a rally against racialism was organised by Asian and West Indian associations with local trade union support. The march began in Hyde Park, where a number of supporters deplored the alleged racist attitude of the British authorities. There was a clash between the police and demonstrators in Downing Street near the British Prime Minister's residence. Six demonstrators were arrested and a woman police constable was slightly injured.

(c) while the maintenance of law and order in Britain is the responsibility of the British Government, the latter has been made aware of the Government of India's concern over the recent incidents of this nature and of the importance of creating a climate of racial harmony in Britain. The British Government has at the highest level, reaffirmed its commitment to a policy of racial equality.

Upgradation of post offices

434. PROF. NARAIN CHAND PARASHAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether any decision has been taken on the plea for re-considering the requirement of the workload of 8 hours for the upgradation of branch offices to the status of departmental sub-offices, as the requirement has resulted in a set-back to the development of postal facilities in the rural areas;

(b) if so, the nature of the decision taken alongwith the date on which it was taken; and

(c) if not, the likely date by which the decision would be taken in this regard?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) to (c). The Department had constituted a Committee to go into the norms for calculation of income/cost

of a post office and for opening/upgradation of Branch Post Offices. The Committee has submitted its report. The recommendations of the Committee are under consideration and a decision will be taken as early as possible.

Action against employers for not obtaining prior approval for lay-off and retrenchment

435. SHRI SAMAR MUKHERJEE: Will the Minister of LABOUR be pleased to state:

(a) as per the Industrial Disputes Act, 1976 how many employers in factories, mines and plantations obtained the prior approval of the specified authority of Government before they laid-off or retrenched/workers or closed down their establishments; and

(b) the action taken against those employers who did not care for the compliance of Industrial Dispute Act, 1976?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) The number of applications and notices for previous permission/approval received and dealt with by the specified authority in the Central sphere and the Central Government is as under:—

	Received	Permission/ approval given	Rejected
Lay-off	21	1	15
Retrenchment	6	2	Nil.
Closure	4	1	1

No information is available regarding factories and plantations falling in the State sphere.

(b) No case of non-compliance has so far been reported. However, the

Central Industrial Relations Machinery have instructions to initiate action against employers contravening the provisions of the Act in this regard.

Encephalitis cases in Burdwan

436. SHRI TRIDIB CHAUDHURI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether his attention has been drawn to the recent occurrence of a high number of Japanese encephalitis cases in certain areas of Burdwan and adjacent Bankura district of West Bengal;

(b) if so, the steps taken thereon;

(c) whether the occurrence of encephalitis has been noted in a similarly virulent form in other States; and

(d) if so, the steps taken to probe into the cause of these areas being affected by the killer encephalitis virus and remedial measures taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) The following steps have been taken to control/prevent the disease:

1. All cases have been investigated and arrangements made for their treatment in the hospital;

2. Necessary measures for epidemiological investigations, treatment and control undertaken;

3. Gamaxene has been sprayed in the affected and the surrounding houses of each case to eliminate infected mosquitoes responsible for the spread of the disease;

4. Mosquitoes from the affected areas are being caught and examined to see the seasonal prevalence of their carrier species, their density and their breeding sites;

5. Japanese Encephalitis vaccine is being imported from Japan;

6. Besides the local officers, epidemiologists and senior officers of the State Directorate of Health Services, and a team from the School of Tropical Medicine, Calcutta and Prof. of Virology of that Institution visited the villages and the hospital where the cases were isolated; and

7. A team from the National Institute of communicable diseases has also been deputed to assist the State Health Authorities to implement control measures in the area.

(c) No reports have been received from any other State.

(d) Does not arise in view of answer to part (c) above.

Material help sought by Vietnam

437. DR. RANEN SEN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Vietnamese Government have sought material help from India recently; and

(b) if so, the reaction of the Government of India?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). The Government of India has expressed its readiness to cooperate in the reconstruction of Vietnam.

Closures and lock-outs from May to July, 1976

438. SHRI C. K. CHANDRAPPA: Will the Minister of LABOUR be pleased to state:

(a) whether the number of closures and lock-outs of mills have increased since May to July, 1976;

(b) if so, the reasons and facts thereof;

(c) how far this would affect the industrial production and how many people were rendered jobless; and

(d) how many man-days were lost due to this?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (d). Information is being collected and will be laid on the Table of the Sabha after it is received.

Shortage of medicines in the country

439. SHRI P. M. MEHTA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether there is acute shortage of medicines in the country;

(b) whether medical hospitals in the country are not providing free medical aid to the poor patients; and

(c) whether this has resulted in increase in the death rate?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A.K.M. ISHAQUE): (a) There is no acute shortage of medicines in the country. Occasional shortage of certain drugs, mainly proprietary branded preparations, is met by equivalent substitutes available in the market.

(b) and (c). Health is a state subject. The practice of providing free medical aid to poor patients varies from State to State.

Issuing of directions to States for giving Free Medical Aid to poor

440. SHRI P. M. MEHTA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state whether Central Government have directed all the hospitals in Delhi and States to continue to give free medical aid to the poor class as was being done in the past?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A.K.M. ISHAQUE): No such direction has been issued.

Implementation of Bhagwati Committee Report

441. SHRI P. M. MEHTA: Will the Minister of LABOUR be pleased to state:

(a) whether Government have not so far taken any decision in regard to the implementation of the Bhagwati Committee Report on Unemployment placed on the Table of the House long ago;

(b) if so, the reasons for delay in taking the action;

(c) how many of its recommendations have so far been accepted and action taken;

(d) how many of its recommendations have been rejected; and

(e) when its recommendations are likely to be fully implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Immediately after the Bhagwati Committee on Unemployment submitted its report to the Government, the recommendations contained therein were examined by an Inter-Ministerial Working Group set up by the Planning Commission. Thereafter, the recommendations of the Committee and the views of the Working Group thereon were forwarded to the concerned Ministries/Departments for necessary action. The matter has been continuously followed.

(c) to (e). Out of a total of 221 recommendations made by the Bhagwati Committee on Unemployment, which were referred to the concerned Ministries/Departments for necessary action, final views and details of action taken in respect of 212 have been received. While 90 recommendations have been accepted and are being implemented, in the case of another 106, the recommendations have

been accepted in principle and are being acted upon within the available resources. It has not been possible for the Ministries/Departments to accept 16 recommendations.

The remaining 9 recommendations are being vigorously followed up with the concerned Ministries/Departments.

Economic and Cultural Co-operation with Southeast Asian countries

442. SHRI P. M. MEHTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India had sent many Ministers and officials and other representatives to the Southeast Asian region countries to increase the economic and cultural co-operation;

(b) if so, the main reasons for not achieving much results; and

(c) whether any cultural or economic pacts were signed between India and any of these countries?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). Some of the important delegations from India which visited various countries of this region recently were led by Shri B. R. Bhagat, Speaker, Lok Sabha; Shri Y. B. Chavan, Minister of External Affairs; Shri P. K. Mukherjee, Minister of Revenue and Banking; Shri Bipin Pal Das, Deputy Minister in the Ministry of External Affairs, and Shri B. Shankaranand, Deputy Minister in the Department of Parliamentary Affairs. The visits were part of the normal practice of exchanging high-level visits with friendly countries so as to further promote understanding and strengthen around co-operation with them. This objective was fully achieved.

(c) These delegations were not sent for the purpose of concluding cultural or economic agreements.

Agreements with foreign countries to promote Shipping

443. SHRI AMAR SINGH CHAUDHARI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether a number of agreements have been signed by India with various foreign countries during the last three months to promote the relations and facilities in shipping and transport; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) The only Agreement relating to shipping signed during the last 3 months is the one signed on 19th July, 1976 in New Delhi relating to Merchant shipping between India and USSR.

(b) This new Agreement on Merchant Shipping will, when it comes into effect, replace the existing Agreement concluded in 1956. It will cater to the transport of trade on the basis of equality in cargo loadings and freight charges from all the ports in the Soviet Union to the Indian ports excepting those ports in the two countries not open to foreign vessels and also of dry bulk and liquid cargoes besides general cargo. The Agreement also contains a provision for setting up of an Inter-Governmental machinery for overseeing its working besides the usual Articles dealing with the extension of the most-favoured-nation treatment to the vessels of one country at the ports of the other, facilities to seamen etc.

Malankhand Copper Mines

444. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of STEEL AND MINES be pleased to state the progress so far made by Malankhand Copper Mines and when the concentrator and smelter are likely to begin operating at Malankhand?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): Earlier, the Soviet Agency commissioned by Hindustan Copper Limited had submitted the Detailed Project Report for Malanjkhand Copper Project in Balaghat District for the Mining part only. The Detailed Project Report for the proposed Malanjkhand Complex as a whole including the proposed concentrator was received in January, 1976. The Detailed Project Report for the whole complex is being examined by the Government with a view to take an investment decision.

Counting from actual commencement of construction, the consultants have drawn up time-schedule enabling the operation of the concentrator in the fourth year.

At present there is no proposal to construct a smelter at Malanjkhand Copper Complex.

Erosion of National Highway No 17

445. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether an expert committee inspected the possibility of erosion of National Highway No. 17 near Maravanthe in South Kanara District, Karnataka;

(b) whether this Committee also considered the desirability of putting up a diversion road between Gujjadi and Navunda; and

(c) if so, the recommendations of the committee?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH): (a) and (b). Yes, Sir.

(c) The Committee has not submitted its report as yet.

Export and Import through new Mangalore Port

446. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the total quantity of goods exported from and imported to New Mangalore Port during the last year, item-wise; and

(b) the provisions made at the port site for storage and mechanical handling of the goods?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) A statement showing the commodity-wise traffic handled at the New Mangalore Port (both import and export) during the year 1975-76 is laid on the Table of the House. [Placed in Library. See No. LT-11060/76].

(b) As regards storage facilities, the Port is having two transit sheds having a floor area of 7665 sq metres to cater to 14000 tonnes of cargo. Extension of a floor area of 2190 sq. metres in one of the transit sheds to cater to a further 4000 tonnes is being taken up. Besides, the Port has a concrete paved ore stacking yard having an open area of 6633 sq. metres. In addition, a large open area in the proximity of the wharf is available for open storage of commodities like timber, steel etc.

As regards mechanical handling facilities, the following are the port equipments already in use:—

- | | |
|-------------------------------------|--------|
| (1) 3 tonnes wharf crane | 3 nos. |
| (2) 3 tonnes forklifts | 3 nos. |
| (3) 2 tonnes forklifts | 3 nos. |
| (4) 3 tonnes capacity pay-loaders | 2 nos. |
| (5) Mobile cranes (Pneumatic types) | 2 nos. |
| (6) Mobile cranes (crawler type) | 2 nos. |

One no. 6-tonne wharf crane and nos. 10 tonne wharf cranes are under erection and will be progressively available for use.

Deepening of New Mangalore Port

447. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the New Mangalore Port is being deepened under the Kudremukh Iron Ore Project; and

(b) if so, the progress made so far?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes. The lagoon is to be deepened to minus 13 metres and the outer channel to minus 13.5 meters to handle 60,000 DWT Bulk carriers.

(b) Deepening the Lagoon and channel is proposed to be carried out departmentally. A dredger for carrying out the work has been ordered.

Derecognition of Medical Colleges of Karnataka

448. SHRI P. R. SHENOY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Indian Medical Council recommended derecognition of many of the private medical colleges in Karnataka on one of the grounds that there were no sufficient hospital facilities in these colleges;

(b) whether as a consequence total number of annual admissions to these colleges was reduced; and

(c) whether some of these colleges have managed to increase the quota of admissions subsequently without adequate bed strength and facilities of general survey etc. in their teaching hospitals?

1318 LS-6.

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Yes.

(c) The Medical Council of India after the inspection/visitation in regard to facilities available in the medical colleges for the training of students have allowed two medical colleges to increase the number of admissions.

Registration of Employed Job-seekers

449. SHRI RAJDEO SINGH: Will the Minister of LABOUR be pleased to state:

(a) whether the Union Territories of Delhi and Chandigarh have relatively high proportion of employed persons among registrants at employment exchanges with Delhi 51 per cent and Chandigarh 43 per cent;

(b) whether in 18 out of 22 States, the proportion of employed job-seekers varies from 20 per cent to 40 per cent;

(c) whether these employed registrants do not block the employment of totally unemployed to some extent; and

(d) whether these employment exchanges will be instructed to register those who are totally unemployed?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The percentages mentioned in parts (a) and (b) of the Question are based on the "Survey of employed persons among the Employment Exchange Registrants" conducted by the Ministry of Labour which related to the period October, 1972 to September 1973.

(c) This aspect was not covered by the survey.

(d) Registration, with Employment Exchanges being voluntary, no such proposal is under consideration of Government.

South and South-East Asia Shipping Conference

450 SHRI RAJDEO SINGH: Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether a move is afoot to form a South and South-East Asia Shipping Conference to bring together the Shipping Lines of the region in the UNCTAD spirit by our Government; and

(b) if so the progress made in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H M TRIVEDI) (a) Shipping Conferences are formed by the national shipping lines of the countries proposed to be served by the Conference. The question of Government forming such a Conference does not arise.

(b) Indian shipping lines have held some discussions with the shipping lines belonging to adjacent countries in South and South East Asia for forming a new Conference with the objective of promoting the development of intra-regional trade through regular sailings of the national flag lines at reasonable freight rates.

Craze for white collar jobs

451. SHRI RAJDEO SINGH: Will the Minister of LABOUR be pleased to state:

(a) whether the craze for white collar jobs is very much on the increase in our country;

(b) whether undergraduate seeking white-collar jobs constitute 80 per

cent of the educated unemployed on the live registers of country's employment exchanges,

(c) whether job opportunities for the above category have reduced over the years though their numbers on the live registers have been fast increasing, and

(d) if so, what steps Government propose to ameliorate their pitiable condition?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA), (a) and (b) The available information which relates to the number of job seekers (all of whom are not necessarily unemployed) registered with employment exchanges indicates a rising trend in the number of educated job seekers (matriculates and above). This number was 48.05 lakhs as on 31st December 1975 which included 38.60 lakhs (approximately 80 per cent) under graduates.

(c) The number of vacancies notified to employment exchanges for the educated registrants seeking white collar jobs declined from 4.4 lakhs in 1973 to about 3.2 lakhs in 1975.

(d) Creation of employment opportunities on an extensive scale constitutes one of the basic elements of strategy in the Fifth Five Year Plan. This would be achieved through the implementation of plan programmes in Point Economic Programmes and Small Scale Industries Sector, the broad strategy of development programmes is to develop and promote entrepreneurship and provide a package of consultancy services so as to generate maximum

opportunities of employment, especially self-employment Industrial and Commercial Estates are being set up in various States and loans are made available by the nationalised banks and other financial institutions to the prospective entrepreneurs in order to enable them to set up their own ventures.

Epileptic fits Caused by Benzene Hexachloride

452. SHRI P. GANGADEB: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether consumption of Benzene Hexachloride (B.H.C.) has caused epileptic fits among population in various parts of the country, especially in U.P.;

(b) if so, whether 19 out of 25 samples of foodgrains sent for laboratory tests were found to contain abnormal quantities of BHC in Lucknow; and

(c) whether the Centre has issued any direction to the States in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) An outbreak of a disease like epilepsy was reported from Lakhimpur Kheri District of U.P., in March, 1976. The said disease was diagnosed to be due to consumption of food grains and fish having benzene hexachloride.

(b) Yes.

(c) Yes. Instructions have been issued to all the States including Uttar Pradesh to exercise proper supervisory control over the distribution and use of pesticides, and to use publicity media to educate the consumers.

The District Magistrates have been directed to seize the entire affected stocks and replace them with fresh stocks.

Indian Proposal to WHO for Integrated Medical care

453. SHRI P. GANGADEB: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether India had proposed to WHO recently that it should persuade international and bilateral agencies to assist in the development of integrated medical care in the member countries; and

(b) if so, their reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No.

(b) Does not arise.

Exploitation of Gold in Keonjhar Distt. of Orissa

454. SHRI P. GANGADEB: Will the Minister of STEEL AND MINES be pleased to state:

(a) the latest report of investigation of existence of gold in the Keonjhar District of Orissa; and

(b) steps being taken to exploit this metal?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The Mining and Geology Department of Orissa carried out some investigation during field season 1975-76 in some auriferous veins in Keonjhar District but did not find gold of any economic significance. The State Government propose to continue the work during next year also.

(b) Does not arise at this stage.

Exploitation of iron and manganese ore in Kall reservoir

455. SHRI B. V. NAIK: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the exploitation of iron and manganese ore in the Kali reservoir has kept to schedule and is likely to be completed before water is impounded in the lake bed;

(b) if so, what is the agency entrusted with this task; and

(c) whether this agency enlisted the co-operation of the local people in the task of exploitation of this ore potentially; if so, in what way?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). M/s. Mysore Minerals Limited (State undertaking of the Government of Karnataka) has been entrusted with the task of exploitation of ores from the submersion zone of the Kali reservoir. Apart from extracting the ores themselves, MML have also appointed ore raising contractors for the purpose. They have confirmed that the ore from the low lying zones is likely to be extracted in full before water is impounded in the reservoir.

(c) Local people are being employed by the raising contractors of M/s. Mysore Minerals Limited for the extraction of ores.

Central Machinery for Supervision over Employment Exchanges

456. SHRI B. V. NAIK: Will the Minister of LABOUR be pleased to state:

(a) which is the supervising machinery of the Central Government over the employment exchanges operating at the district level; and

(b) whether this supervising machinery submits any report to Government?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Employment Exchanges at District level function under the administrative control of respective State Governments. Central Government have no supervisory machinery, as such, in the

States. However, officers of the Central Government carry out joint evaluation of the employment exchanges in the States in collaboration with officers of the respective State Governments. The evaluation reports are forwarded to the State Governments for taking remedial action on the recommendations where necessary.

Ship-building unit at Ratnagiri

457. SHRI VASANT SATHE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government of Maharashtra have submitted a proposal for setting up a ship-building unit at Ratnagiri;

(b) if so, broad outlines of the proposal; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) No, Sir.

(b) and (c). Do not arise.

अण्डमान निकोबार द्वीपसमूह का खनिजों के लिये सर्वेक्षण

458. श्री शंकर दयाल सिंह : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हाल ही में अण्डमान-निकोबार द्वीपसमूह में खनिजों का पता लगाने के लिए कोई सर्वेक्षण किया गया है ; और

(ख) यदि हां, तो इसके क्या परिणाम रहे ?

इस्पात और खान मंत्रालय में उपमंत्री (श्री सुखदेव प्रसाद) : (क) और (ख). जी, हां । भारतीय भूगर्भ सर्वेक्षण संस्था

द्वारा सम्मान-निकोबार द्वीपसमूह में समस्त मानचित्रण द्वारा जमिनों की खोज का काम 1958 में शुरू किया गया था, जो 1974 तक चलता रहा। फ्लैक्स ग्रेड यूना पत्थर के अनेक छोटे-छोटे निक्षेपों का पता चला है जिनमें निकल के लिए उच्च भू-रासायनिक मूल्य के संशोधन हुए हैं। जलवियक्त मिट्टी वाले कुछ नमूने भी इकट्ठे किये गये हैं जिनकी इस समय तेल और प्राकृतिक गैस कायाच द्वारा जांच की जा रही है। इन द्वीपसमूहों में भारतीय भूगर्भ सर्वे द्वारा 1976-77 के क्षेत्रगत सर्वे और छाये सर्वे किये जाने का प्रस्ताव है।

12.01 hrs.

PAPERS LAID ON THE TABLE

NAGALAND GOVERNMENT NOTIFICATIONS, NOTIFICATIONS UNDER CENTRAL EXCISE RULES, CUSTOMS ACT AND TAMIL NADU CENTRAL SALES TAX ACT, ETC.

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table:—

(1) A copy each of the following Nagaland Government Notifications (Hindi and English versions) under sub-section (3) of section 36 of the Nagaland Excise Act, 1967 read with clause (c) (iii) of the Proclamation dated the 22nd March, 1975 issued by the President in relation to the State of Nagaland:—

(i) Ex. Misc/16/74 published in Nagaland Gazette dated the 23rd October, 1975.

(ii) Ex/P/21/69 published in Nagaland Gazette dated the 22nd December, 1975 making certain amendment to the

Nagaland Excise Rules, 1972. [Placed in Library. See No. LT-11014/76.]

(2) A copy of Notification No. Ex. N/11/74 (Hindi and English versions) published in Nagaland Gazette dated the 26th April, 1976 issued under section 14 of the Opium Act, 1878 read with clause (c) (iii) of the Proclamation dated the 22nd March, 1975 issued by the President in relation to the State of Nagaland. [Placed in Library. See No. LT-11015/76.]

(3) A copy of Notification No. Ex. N/11/74(a) (Hindi and English versions) published in Nagaland Gazette dated the 28th April, 1976 issued under section 23 of the Dangerous Drugs Act, 1930 read with clause (c) (iii) of the Proclamation dated the 22nd March, 1975 issued by the President in relation to the State of Nagaland. [Placed in Library. See No. LT-11016/76.]

(4) A copy of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G. S. R. 692 published in Gazette of India dated the 22nd May, 1976 together with an explanatory memorandum.

(ii) G.S.R. 371(E) to G.S.R. 384(E) published in Gazette of India dated the 27th May, 1976 together with an explanatory memorandum.

(iii) G.S.R. 389(E) published in Gazette of India dated the 3rd June, 1976 together with an explanatory memorandum.

(iv) G.S.R. 809 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(v) G.S.R. 409(III) published in Gazette of India dated the

[Shri Pranab Kumar Mukherjee]

16th June, 1976 and G.S.R. 412(E) published in Gazette of India dated the 17th June, 1976 together with an explanatory memorandum.

(vi) G. S. R. 899 published in Gazette of India dated the 19th June, 1976 together with an explanatory memorandum.

(vii) G. S. R. 938 published in Gazette of India dated the 26th June, 1976 together with an explanatory memorandum.

(viii) G.S.R. 435(E) published in Gazette of India dated the 1st July, 1976 together with an explanatory memorandum.

(ix) G.S.R. 1053 published in Gazette of India dated the 17th July, 1976 together with an explanatory memorandum.

(x) G.S.R. 1054 published in Gazette of India dated the 17th July, 1976 together with an explanatory memorandum.

(xi) G.S.R. 476(E) to G.S.R. 478(E) published in Gazette of India dated the 24th July, 1976 together with an explanatory memorandum. [Placed in Library. See No. LT-11017/76]

(5) A copy each of Notification Nos. G.S.R. 354(E) to G.S.R. 368(E) (Hindi and English versions) published in Gazette of India dated the 27th May, 1976, under section 159 of the Customs Act, 1962, together with an explanatory memorandum. [Placed in Library. See No. LT-11018/76.]

(6) A copy each of the following Notifications under sub-section(5) of section 53 of the Tamil Nadu General Sales Tax Act, 1959 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation

to the State of Tamil Nadu:—

(i) G.O.Ms. No. 634 published in Tamil Nadu Government Gazette dated the 11th May, 1976.

(ii) G.O.Ms. No. 657 published in Tamil Nadu Government Gazette dated the 19th May, 1976.

(iii) G.O.Ms. No. 695 published in Tamil Nadu Government Gazette dated 23rd June, 1976 making certain amendment to Notification III No 116 of 1970 dated the 28th March 1970.

(7) A statement (Hindi and English versions) explaining the reasons for not laying the Hindi version of the above Notifications. [Placed in Library. See No. LT-11019/76.]

NOTIFICATIONS UNDER MERCHANT SHIPPING ACT

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI)
I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 458 of the Merchant Shipping Act 1958:—

(1) The Merchant Shipping (Examination for Skipper and Second Hand of Fishing Vessel) Amendment Rules 1976, published in Notification No. G.S.R. 731 in Gazette of India dated the 29th May, 1976

(2) The Merchant Shipping (Examination of Engine Drivers of Sea-Going Ships) Amendment Rules 1976, published in Notification No. G.S.R. 783 in Gazette of India dated the 5th June, 1976.

(3) The Merchant Shipping (Examination of Engineers and Engine Drivers of Fishing Vessels) Amendment Rules, 1976, published in Notification No. G.S.R. 976 in Gazette of India dated the 3rd July, 1976. [Placed in Library. See No. LT-11020/76.]

NOTIFICATIONS UNDER PASSPORTS ACT

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section(3) of section 24 of the Passports Act, 1967.:-

- (i) The Passports (Second Amendment) Rules, 1976, published in Notification No. G.S.R. 349 (E) in Gazette of India dated the 25th May, 1976.

- (ii) G.S.R. 353(E) published in Gazette of India dated the 26th May, 1976.

[Placed in Library. See No. LT 11021/76]

NOTIFICATIONS UNDER PREVENTION OF FOOD ADULTERATION ACT

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A.K.M ISHAQUE). I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954:—

- (i) The Prevention of Food Adulteration (Amendment) Rules, 1976, published in Notification No. G.S.R. 754 in Gazette of India dated the 29th May, 1976.

- (ii) The Prevention of Food Adulteration (Third Amendment) Rules, 1976, published in Notification No G.S.R 856 in Gazette of India dated the 13th June, 1976.

[Placed in Library. See No. LT-11022/76].

NOTIFICATIONS UNDER BORDER SECURITY FORCE ACT AND CENTRAL INDUSTRIAL SECURITY FORCE ACT

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): On behalf of Shri F. H. Mohsin, I beg to lay on the Table:—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 141 of the Border Security Force Act, 1968:—

- (i) S.O. 429(E) published in Gazette of India dated the 24th June, 1976 extending the Border Security Force Rules, 1969 and the Criminal Courts and Border Security Force Courts (Adjustment of Jurisdiction) Rules, 1969 to the State of Sikkim.

- (ii) S.O. 430(E) published in Gazette of India dated the 24th June, 1976.

[Placed in Library. See No. LT-11023/76.]

(2) A copy of the Central Industrial Security Force (Second Amendment) Rules, 1976 (Hindi and English versions) published in Notification No G.S.R. 861 in Gazette of India dated the 19th June, 1976 under sub-section (3) of section 22 of the Central Industrial Security Force Act, 1968. [Placed in Library. See No. LT-11624/76.]

NOTIFICATION UNDER INDIAN TELEGRAPH ACT

संचार मंत्री (डा० शंकर दय.ल. शर्मा):
अध्यक्ष महोदय, मैं आप को अनुमति के
भारतीय तार अधिनियम, 1885 की धारा
7 की उपधारा (5) के अन्तर्गत भारतीय
तार (छठा संशोधन) नियम, 1976
(हिन्दी तथा अंग्रेजी संस्करण) की एक प्रति

[डा० बंकर दयाल वर्मा]

सभा पटल पर रखता हूँ जो दिनांक 12
जून, 1976 के भारत के राजपत्र में
प्रसिद्धता संख्या ला० सा० नि० 843
में प्रकाशित हुए थे।

[Placed in Library. See No. LT-11025/76.]

STATEMENTS SHOWING ACTION TAKEN
BY GOVERNMENT ON VARIOUS ASSUR-
ANCES, ETC.

SHRI B. SHANKARANAND: I beg
to lay on the Table the following
statements showing the action taken
by the Government on various assur-
ances, promises and undertakings
given by the Ministers during the
various sessions of Fifth Lok Sabha:—

(i) Statement No. XXIV
Tenth Session, 1974.

(ii) Statement No. XVII
Eleventh Session, 1974.

(iii) Statement No. XVI
Twelfth Session, 1974.

(iv) Statement No. XX
Thirteenth Session, 1975.

(v) Statement No. IV
Fifteenth Session, 1976.

(vi) Statement No. II
Sixteenth Session, 1976.

(vii) Statement No. III
Sixteenth Session, 1976.

[Placed in Library. See No. LT-11026/76.]

NOTIFICATIONS UNDER MOTOR VEHICLES
ACT

THE DEPUTY MINISTER IN THE
MINISTRY OF SHIPPING AND
TRANSPORT (SHRI DALBIR
SINGH): I beg to lay on the Table
a copy each of the following Notifica-
tions under sub-section (3) of section
133 of the Motor Vehicles Act, 1939
read with clause (c) (iv) of the Pro-

clamation dated the 31st January,
1976 issued by the President in rela-
tion to the State of Tamil Nadu:—

(i) G.O. Ms. No. 2179 published
in Tamil Nadu Government
Gazette dated the 17th Decem-
ber, 1975 making certain
amendments to the Tamil
Nadu Motor Vehicles Rules,
1940. [Placed in Library.
See No. LT-11026/76.]

(ii) G.O. Ms. No. 87 published
in Tamil Nadu Government
Gazette dated the 11th Febru-
ary, 1976 making certain
amendments to the Tamil
Nadu Motor Vehicles Rules,
1940. [Placed in Library.
See No. LT-11027/76.]

NOTIFICATION UNDER SALES PROMOTION
EMPLOYEES (CONDITIONS OF SERVICE)
ACT, ANNUAL REPORT OF E.S.I. COR-
PORATION FOR 1974-75, NOTIFICATIONS
UNDER TAMIL NADU LABOUR WELFARE
FUND ACT, AND INDUSTRIAL DISPUTES
ACT

THE DEPUTY MINISTER IN THE
MINISTRY OF LABOUR (SHRI
BALGOVIND VERMA): I beg to lay
on the Table—

(1) A copy of the Sales Promo-
tion Employees (Conditions of Ser-
vice) Rules, 1976 (Hindi version)
published in Notification No. G.S.R
625 in Gazette of India dated the
1st May, 1976, under sub-section
(3) of section 12 of the Sales Promo-
tion Employees (Conditions of
Service) Act, 1976. [Placed in
Library. See No. LT-11028/76.]

(2) (i) A copy of the Annual
Report (Hindi and English ver-
sions) of the Employees' State In-
surance Corporation for the year
1974-75, under section 34 of the
Employees' State Insurance Act,
1948.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report. [Placed in Library. See No. LT-11029/76.]

(3) A copy of Notification No. G.O. Ms. No. 917 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 24th December, 1975 making certain amendments to the Madras Catering Establishments Rules, 1959, under sub-section (4) of section 29 of the Tamil Nadu Catering Establishments Act, 1958 read with clause (c)(iv) of the proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu. [Placed in Library. See No. LT-11030/76.]

(4) A copy of Notification No. G.O. Ms. No. 868 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 3rd December, 1975 making certain amendments to the Tamil Nadu Labour Welfare Fund Rules, 1973 under sub-section (5) of section 41 of the Tamil Nadu Labour Welfare Fund Act, 1972 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu. [Placed in Library. See No. LT-11031/76.]

(5) A copy each of the following Notifications (Hindi and English versions) under sub-section (5) of section 38 of the Industrial Disputes Act, 1947 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) S.R.O. A-127/76 (G.O. Ms. No. 338) published in Tamil Nadu Government Gazette dated the 9th May, 1976 mak-

ing certain amendments to the Tamil Nadu Industrial Disputes Rules, 1958.

(ii) G.O. Ms. No. 522 published in Tamil Nadu Government Gazette dated the 30th June, 1976 making certain amendments to the Tamil Nadu Industrial Disputes Rules, 1958.

[Placed in Library. See No. LT-11032/76.]

12.03 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Bill, 1976, which has been passed by the Rajya Sabha at its sitting held on the 10th August, 1976."

12.04 hrs.

TERRITORIAL WATERS, CONTINENTAL SHELF, EXCLUSIVE ECONOMIC ZONE AND OTHER MARITIME ZONES BILL

AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table of the House the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Bill, 1976, as passed by Rajya Sabha.

12.05 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED CLOSURE OF JUTE MILLS AND FALL IN PRICE OF RAW JUTE

SHRI H N MUKERJEE (Calcutta-North-East) I call the attention of the Minister of Commerce to the following matter of urgent public importance and request that he may make a statement thereon

"Serious situation in jute industry on account of reported closures and fall in price of raw jute affecting production, export and employment problem of jute workers"

THE MINISTER OF COMMERCE (PROF D P CHATTOPADHYAYA)

Mr Speaker, Sir, I had an occasion to make a statement on the 18th May 1976, in this House in which I explained the situation about the jute industry in brief

The jute industry occupies a very important position in the industrial profile and export spectrum of the country. It is perhaps the only most important industry which for its health depends on its export market and other external factors. For the last two years or so our foreign jute market has shrunk to a disturbing extent due to world-wide recession. Besides recession, avoidable and unfortunate competition from another jute exporting country has also added to the difficulty of the industry. The lack of investment for modernisation, research and development, and outdated family-based management system are some of the well-known causes of the present situation of the industry. While in the larger interests of the grower, the worker, industry and foreign trade the Government are engaged in rectifying the situation to the best of their ability, the industry cannot disown its responsibility and has to review its

whole policy structure in order to make itself more efficient and its products more competitive.

That the Government have been alive to the seriousness of the situation would be evident from the series of steps taken by them in the last two years or so. Several measures have been taken to stimulate export demand for jute goods. Export duty on all items of jute manufactures has been abolished. A cess for research and development has been introduced. A Development Council has been set up. The Government have also directly financed certain research and development projects primarily for reduction of the cost of production and development of new products and uses. The Government have been continuing the system of interest subsidy on loans granted by the Industrial Finance Corporation for modernisation of the jute mills. Certain other measures have also been taken by the Government to make our export production of jute goods more remunerative and more competitive.

In this connection I would refer to the regulation in the production of hessian and carpet backing which was introduced by the Jute Commissioner for the months of June and July 1976. A serious shortage in the supply of raw jute, especially that in the superior grades, was apprehended as we were approaching the end of the jute season. Under such a situation, the Jute Commissioner introduced production regulation in respect of carpet backing and hessian to the extent of 25 per cent for two months, namely June and July. It was further stipulated that sacking would be produced only on sacking looms. The alternative to this production regulation was to allow the mills to close down in a haphazard manner which would have inflicted more loss of employment to all categories of workers in the affected mills. The timing of the production regulation was, however, chosen in such a manner as to

ensure minimum hardship to the labour force. According to the Government estimate, absenteeism in the jute industry in the period from May to August was as high as 35 per cent to 40 per cent. It was estimated that the regulation in production enforced by the Jute Commissioner would amount to a 22 per cent regulation for the industry as a whole and that, therefore, in the context of 35 per cent to 40 per cent absenteeism, it would not affect the permanent and the semi-permanent workers of the industry. It was also estimated that since jute was no longer with the farmers at this time of the year, the interests of the growers would not be adversely affected as a result of such production regulation. However, with the introduction of the Energy Control Order by the Government of West Bengal with effect from 14th July, 1976, the production regulation order contemplating regulation for carpet backing and hessian was withdrawn by the Jute Commissioner with effect from the same date.

A statement showing the details of the jute mills in the country, which have been hit by work stoppage is laid on the Table of the House. The Government have been seriously concerned over the work stoppage in these mills and consequent loss of employment to a large number of workers.

As I had previously explained on the floor of this House, the causes of

work stoppage in the mills are diverse and complex. Khardah Jute Mill and Kanpur Jute Udyog have stopped functioning since 1975. Of the remaining 11 jute mills 7 jute mills are reported to have stopped working due mainly to industrial disputes. One has stopped functioning due to damage from fire and the remaining 3 have stopped functioning due mainly to financial difficulties.

I have the honour to inform the House that the management of the National Company which is the biggest jute mill in the country and which had been in a very unsatisfactory condition has been taken over by the Central Government under the Industries (Development and Regulation) Act, 1951. The new management is expected to streamline the functioning of the jute mill and improve its financial condition.

We, therefore, are fully alive to the problems of the jute industry and have been taking appropriate measures from time to time. However, quite a number of jute mills have unfortunately been affected by industrial disputes. Work stoppage due solely to industrial disputes has to be looked into by the appropriate conciliatory authority. We are in close touch with the West Bengal Government for finding out a solution to the problems arising out of work stoppage in such a large number of jute mills.

183 Closure of jute mills AUGUST 12, 1976 and fall in price of 184
ratio jute (CA)

STATEMENT SHOWING THE DETAILS OF JUTE MILLS WHICH HAVE STOPPED WORKING AS ON
5TH AUGUST, 1976.

S.No.	Name of the mill	Period of work stoppage and reported reasons therefor	Number of workers
1.	Khardah	From 8-5-1975 Financial and Industrial disputes.	5,000
2.	Kanpur Jute Udyog	From 6-10-1975 Financial crises	3,000
3.	Meghna North Meghna South	From 8-3-1976 From 9-2-1976 Industrial disputes. }	6,900
4.	Union Jute Mills	From 14-3-1976 Financial and Industrial disputes.	2,250
5.	Bharat	From 9-4-1976 Financial trouble.	1,500
6.	Premchand	From 8-4-1976 Damaged from fire.	3,400
7.	Naihati Jute Mills	From 16-7-1976 Industrial disputes.	3,200
8.	Budge Budge	From 20-6-1976 Industrial disputes.	3,000
9.	Rai Bahadur Hurdutrai Motilal	From 3-7-1976 Financial crises.	3,500
10.	Barnagore.	From 19-7-1976 Industrial disputes.	4,800
11.	Waverly	From 26-7-1976 Industrial disputes.	2,250
12.	Shri Gourishankar	From 31-7-1976 Industrial disputes.	2,000
13.	Alexandara.	From 2-8-1976 Industrial disputes.	2,400

SHRI H. N. MUKERJEE: I fear I cannot congratulate the Minister for having dealt with this diverse and complex problem in the manner in which he has done it during the last two years about which he has given us a summary of his activities. I say so because I find in this an example of a peculiar contradiction between Government's brave declarations about controlling big money and at the same time truckling down to big money interests in this most important foreign exchange earning industry along with a failure to look after the interests both of the jute growers in the countryside and of the workers in the jute mills.

Sir, I have to point out how, for some considerable time now, a crisis cleverly engineered by the notorious jute barons to feather their own nests has been embarrassing the Minister. Somewhat comparably with the Indian Cotton Mills Federation in Bombay to whom Government have truckled

down in the matter of controlled cloth in a most egregious fashion; somewhat comparable to that, the I.J.M.A. in West Bengal gets away with their loot while Government flounders and the steps which the Minister tells us he is trying to take make it worse.

Sir, some nine monopoly houses control this industry and by crowing over the so-called crisis of their own creation, they have got out of Government a gift of Rs. 30 crores or more by way of concessions in this period to which my hon. friend, the Minister has made a reference—more concessions in the last two years actually than in the last seventy-five years of the history of the jute industry in this country.

Now, the millowners have defaulted in depositing the workers' dues in regard to the provident fund to the extent of Rs. 3-5 crores. They have defaulted in regard to payment of dues to the Jute Corporation of India,

a government institution, to the extent, according to reports, of Rs. 21 crores, and tens of thousands of workers are hurt in the bargain while the jute growers in the countryside who have produced a very wonderful harvest are in a quandary because they do not know which way to turn since the prices are unremunerative on account of the conspiracy conducted by the big money interests in the jute industry.

There seems to be one silver lining and that is the takeover of the Goenka's own National Jute Mills supposed to be the biggest in Asia. But, I would like to ask in regard to the takeover why it is that, according to the report, there is now a twelve-Member Management Board which includes the former culprits in the Goenka set-up who are now going to look after this business. These three or four—my friends know more about this business because they deal with this subject would supplement it—out of 12 are the people who belonged to the Goenka set-up, the culprits, who should have been shoo'd off altogether, I would like the Minister to explain this business. The former General Manager and the Cost Accountant appear to be still there though they were the top Goenka's functionaries. I would also like to ask the Minister to explain another matter. When we are in an emergency and Parliament is functioning in a certain manner, surely, it does not mean that accountability of Government to Parliament has ceased to exist. But, I find, for example, allegations in the Press that, may be, some of the top officials of the Jute Corporation of India are in collusion with the jute barons. But, that apart, I would like to know, for instance, how is it that a recent appointment has been made to the Jute Corporation of India and a certain gentleman, whom I shall not name, is now the Chairman who was a Minister of State in the West Bengal Government against whom al-

legations of corruption were brought were looked into by the Wanchoo Commission? As a result of that, he lost his job—not more than a year ago—but now he is back in glory as the Chairman of the Jute Corporation. He may be an estimable customer—I do not know that—and, after all, Government owes some explanation. I find also in to-day's paper that in West Bengal, the Minister of Labour gave an assurance that in regard to these 13 jute mills, which the Minister has catalogued here as having been closed and about them the State Government has given an assurance that there would be a decision about their reopening in two weeks' time. 46,000 people are out of employment in these 13 jute mills or, perhaps, even more. But, the Minister has given an assurance in West Bengal that in two weeks' time, a decision about the reopening would be made. I would like my friend the Minister, to give some satisfaction about it. I would also like him to tell us how it is that he is going to confront the challenge of the jute barons in the manner of the coal-mine owners on the eve of nationalisation who did certain things which amounted to blackmailing the Government and, in that context, does Government contemplate nationalisation, on a scale which would be practicable as well as principled? At the same time, why should not Government go ahead now with it? At least Government is thinking of taking over or it has already taken over the Goenka owned Mills. Why should they not do that? The last question that I would like to ask him is this. The Minister been a peripatetic philosopher travelling all over the world and I would like to know if, in his conversations with the E.E.C. he has found anything in the nature of a most favoured nation clause which we do not hope to get from that quarter—anything in the nature of an assurance that the market in that part of the world would be, to some extent, secured? I would also like him to tell us as to whether, during his visit to the developing countries and after

[Shri H. N. Mukerjee]

the confabulations with the developing countries, he has found some indication of a demand for our kind of jute products to be supplied from this country to those developing countries. These are my specific questions

AN HON. MEMBER: I think he has left nothing for others.

MR. SPEAKER. I hope he will reply them.

PROF. D. P. CHATTOPADHYAYA: Sir, about jute industry, you must have kindly noted that there are two broad—almost contradictory—views—one is that Government has been doing nothing and allowing the jute industry to drift and go down the drain and now, in an almost near bankrupt situation resulting in the reduction of production to the extent of nearly 25 per cent, if not, 30 per cent and the Government is a mute spectator to the decaying and declining of this industry.

The other view that you have just now heard is that enough has been given—a lot of concessions have been granted to the industry and the industry has almost pampered to be inefficient. Sir, we have neither any bias against this industry nor bias towards or prejudice against it. But, there are certain hard facts which cannot be gloated over by any amount of emotive phrases. One point is that if you look at the profit of this industry from 1971-72, 1972-73 and down to 1973-74, you will find that the retained profit in terms of lac in 1970-71 was Rs. 94; it went up and the industry was in good shape. In the wake of Bangladesh crisis from Rs 5.56 crores, it came down in 1972-73 to minus Rs. 17 lacs; thereafter, in 1973-74, it is minus Rs. 6.41 crores. The profit has been steadily going down. Dividend also has been steadily going down; the dividend which was Rs. 1.23 crores in 1970-71, is now only Rs. 63 lakhs in the year 1973-74. Later on, it has gone down further.

Sir, I mention these facts not to hide or suppress the facts from this august House which I have myself mentioned in the second paragraph of my statement, namely, the out-dated family based management, the total reluctance to invest for modernisation and diversification, etc. But at the same time an industry which depends to the extent of 55 per cent on the foreign market—if those markets lose and have lost very heavily during the last two-three years—what can the Government or the industry could do even if it has been efficient.

As regards hessian in June 1975 the sales contract was for 28,648 tonnes whereas in June 1976 it has come down to 10,172 tonnes. As far as sacking is concerned in May 1974 the sales contract was for 15,035 tonnes whereas in May 1976 it has come down to 3,754 tonnes. In regard to carpet-backing in April 1974 the sales contract was for 26,000 tonnes whereas in April 1975 it came down to 17,000 tonnes. In April 1976 it has come down to 9,000 tonnes. The total sales contract in April 1974 was for 59,000 tonnes; in June 1975 it came down to 45,000 tonnes whereas in June 1976 it is only for 27,000 tonnes.

Further, Sir, there is a serious competition—rather unfortunate avoidable competition—from our neighbouring country. Because of devaluation and heavy under-cutting they are at an advantage. Therefore, the only mainstay of this industry has been the production of sacking for the domestic market. Fortunately, there was a big bumper crop. Therefore, the off-take of sacking has gone up but even that demand is not very much more than 40,000 tonnes per month whereas the production has gone up to 60,000 tonnes per month. As such, the prices have crashed below the cost price as calculated by the Tariff Commission. These are some serious facts. While we are critical of the industry the genuine difficulties have to be appreciated and

cannot be forgotten over in a superficial manner.

The hon. Member has raised some specific questions about the management of the nationalised company taken over by the Government. I have seen a report in one newspaper today morning that one man—I do not know whether three or four men have been taken—has been taken in the new management from the old management. I will get it checked up. But simply because somebody was in the old management does not disqualify him to be on the new management. It is on merit that we appoint but if on scrutiny it is found that he is unworthy or his records are bad then certainly we will have a second look. The hon. Member also mentioned about the admission of new Chairman who resigned from the West Bengal Assembly last year. Sir, this gentleman did not resign on any corruption charge but some doubt was expressed. In political life it happens to many people. Doubt does not mean condemnation. One has to take the trouble of looking into the record. A person should not be maligned simply because at some time he resigned without any technical fault. Government has looked into the matter very carefully and Government is convinced of the fact that there is nothing on record to show that this gentleman is unqualified or unworthy of this position.

AN HON. MEMBER: Then why did he resign?

PROF. D. P. CHATTOPADHYAYA: That I said. Because the Commission said that one should be 'beyond doubt'. He not only resigned from the Ministership but also from MLA-ship.

That shows that he has moral courage and has maintained high political norms of public life. There is nothing on record to show that simply because of this, he should not be taken. I do

not subscribe to that view. He has to his record very good service to the co-operative movement and in this area of work.

As regards reopening of mills, the other point to which he referred, I personally took interest. I took some meetings of the jute industry and trade union leaders, and as a result in the month of May, four mills reopened. As I said, there are some immediate pressing causes like industrial disputes etc. There are some not so immediate, but more compelling remote causes. As I have mentioned, these industrial disputes are there. I have requested my friend, Dr. Gopaldas Nag of the West Bengal Government and also Shri Raghunatha Reddy to look into the matter. I am in touch with them. We have succeeded in reopening certain other units but because of the sluggish demand, I do not know whether it will be immediately possible to reopen all others. But it will take time. We are at the job. We share the anxiety of the hon member, and everything possible for us we will be doing.

The question of nationalisation of jute mills is not what we are thinking of, because it is a very big idea. Let us see what we can do about the management of the largest jute mill, which is the size of 4 or 5 ordinary jute mills. So we do not have expertise, neither have we the desire now to nationalise jute mills.

So far as my discussions with EEC, Australia and other countries are concerned, I can say they have the same problem because they want to protect their synthetic fibre industry, the alternative packaging material they have in their country. Even then, so far as EEC are concerned, they are lowering their tariff and in two more year's time, they will bring down the tariff on jute to the zero level. That way EEC's response was favourable.

I raised this question with Australia, because they also reduced their offtake from Bangladesh; their response was favourable, but their private traders and industrialists find synthetic packa-

[Prof. D. P. Chattopadhyaya]

ging material more cheap and attractive. Even then, they are having a second look at the matter.

MR. SPEAKER: Dr. Ranen Sen. If you kindly co-operate by taking a couple of minutes each, we can conclude this without taking much time.

DR. RANEN SEN (Barasat): I do not think it can be finished within a couple of minutes. There are other names also.

MR. SPEAKER: That is why I have made this suggestion.

DR. RANEN SEN: Do not forget that this involves a number of people, more than 4 crores of people living in the eastern part of India.

MR. SPEAKER: Condense your remarks. The time element is there.

DR. RANEN SEN: I will try to be brief. On one very important point, I want some clarification. This is the point which has not been touched upon by Shri H. N. Mukherjee. This is in regard to the jute growers, whose total number would be nearly 4 crores living, as I said, in the eastern part of India. This year's production estimate is between 75 and 80 lakh bales. Over and above that, we generally import 2-3 lakh bales good quality for grading and other things. We also export some and use some for making ropes.

With the cut in production of jute by the industry, the whole thing will be reduced to a demand of 55 lakh bales only. We will be producing 75-80 lakh bales. There will be a surplus of nearly 20-25 lakh bales. On top of, there is last year's stock of nearly 8 lakh bales. Therefore, there will be a surplus of 24 plus 8, equal to, according to a rough calculation, 32 lakh bales.

What would be the result on the jute grower? It is known to everybody

how the jute growers have for generations been cheated by the traders, middlemen and jute millowners. 35 or 40 years back, the ratio between rice and jute was three maunds of rice to one maund of raw jute. Now it is the reverse almost. Therefore, the jute growers are suffering due to the manipulations and machinations of the jute millowners and middlemen. The Commerce Ministry of the government have fixed the price at Rs. 135 a quintal; let the grower get at least that much. Within one month the prices will fall down; that is why the jute millowners are not prepared to purchase jute and the Jute Corporation of India are purchasing jute to the tune of eight lakh of bales of raw jute. That was a statement made in the open meeting. The purchase of only eight lakh bales of jute would never help to stabilise jute prices; the jute price will gradually fall. So this year the jute growers are going to suffer and by next year they will be completely ruined and they may not grow jute. That is a different thing. As I said this will affect more than five crores of people. Therefore, the JCI should have gone into the market and set up organisations so that the price can be stabilised at least at the rate of Rs. 135.

MR. SPEAKER: You have made this point even early.

DR. RANEN SEN: The West Bengal government had unanimously decided that jute prices should not be less than Rs. 180 per quintal; in an earlier discussion in this House Members who participated from the eastern region including Shri Bibhuti Mishra demanded Rs. 200 per quintal and that is really an economic price for the jute grower. In the calculations that are made, the work or contribution of labour cost made by the family members is never included by the Government of India or the Agricultural Price Commission. I know the hon. Minister will say that this is the price decided upon by the Agricultural Price Commission.

MR. SPEAKER: Please conclude now; you have already taken seven minutes and at this rate we will never end.

DR. RANEN SEN: I now come to the question of modernisation. Within twentyfive years, five years had been a boom to the jute mill-owners but they have not ploughed back that money into the industry and the government was silent on this. Now it is coming forward with all kinds of concessions to jute mill owners; export duty has completely gone and subsidy is being given. They never considered the cause of jute grower or worker or the common people who are dependent upon jute trade or industry. In view of this the JCI should purchase much more to stabilise the price at a level which the government had decided. Secondly, the government should compel all mills to start purchasing jute from now on. I also want to know whether the mills that have been closed will be reopened by the employers very quickly or the government will take over eleven or 12 mills so that the thousands of workers who are now unemployed could get their jobs back. These are the three questions which I want to ask him.

PROF. D. P. CHATTOPADHYAYA: Sir, I have already tried to respond to the question regarding the problem of jute growers. If there is reduced off-take by the jute manufacturers, naturally the demand for raw jute goes down. This is a simple thing. I am not at all happy about it, I am distressed about it, but this state of affairs has to be taken note of.

I know some persons, parties and also State Governments have asked for a higher procurement price for jute. Government have looked into the problem. As the hon. Member himself knows, because he is very well-informed in this matter on

account of his trade union background, at the price of Rs. 135 the off-take is not sufficient. Even if it is fixed notionally, for the sake of record, at a very high level of Rs. 160, the market will not bear it and the benefit will not accrue to the grower. So, let us be realistic. While we want to solve the problem, let us consider what are the possible and realistic solutions. An ideal solution we can think of, but it would not be practicable or acceptable.

I have seen the JCI report that they will purchase only 8 lakh bales. But I do not share this view of the JCI. I have instructed the JCI that this should not be the policy of the JCI, because this time, not so much because of carry-over stock, which I will not say is big—rather, it is less than the normal carry-over stock of the previous years—but because of the fact which I think the hon. Member omitted or forgotten to mention, namely, last year the jute growers got a good price, at least better than what they had been getting for many years, therefore, this year they have gone in a big way for jute production. Now it is our responsibility to see that the Government off-take or purchase policy is formulated in a manner resulting in higher and larger purchase by the JCI and the cooperatives. Therefore, I am glad to say that this year Government have allocated a higher sum of money—speaking subject to correction, I may say that it is nearly Rs. 41 crores—for jute purchases. What is more important, Government have made it absolutely clear that money will be no constraint for carrying over procurement at the support price of Rs. 135. It is not so much the higher price but the actual price made available to the primary grower that is important. That is why the number of co-operatives and the number of departmental purchasing centres have been activated. Mills have also been asked to purchase. The Indian Jute Mills Association

[Prof. D. P. Chattopadhyaya]

have also agreed provisionally, subject to availability of credit etc. that they will also supplement the Government's purchases.

Another point which was made by either Shri Mukerjee or Dr. Sen was that some of the mills do not give their money for the jute they purchase from the JCI. Because of this unfortunate development, this year instructions have been issued to the JCI not to sell jute to those mills which have defaulted in payment.

As has been very rightly pointed out by Dr. Sen, the main answer is buffer stocks of raw jute and, if possible, buffer stock of some jute manufactures like sacking.

Government are at it and if funds are available, as I am assured by the Finance Ministry, we will try to do the needful to the best possible extent and to the extent the infrastructure permits us.

SHRI INDRAJIT GUPTA (Alipore): On 21st May, addressing the Annual General Meeting of the Indian Jute Mills Association in Calcutta, the hon. Minister said:

"There had been numerous instances when the jute industry did not hesitate to reap temporary gains by taking advantage of a bumper crop, and it was this failure to pay remunerative prices to the jute growers that started the switch of land from jute to other competing crops. Today, the industry is suffering to a great extent for its past mistakes. It has to be appreciated that unless the growers are rewarded adequately for their jute production, it is the industry which is going to suffer in the long run."

Very good sentiments he expressed.

PROF. D. P. CHATTOPADHYAYA: They are reiterated today in the statement also.

SHRI INDRAJIT GUPTA: Very good, and also that we have to be realistic and all that.

May I know whether it is a fact or not that the Agricultural Prices Commission recommended a minimum support price of Rs. 140, that the West Bengal Government recommended a minimum support price of Rs. 180 in terms of the cost of production now and that ultimately the price has been fixed by Government at Rs. 135? By implication he means that the Agricultural Prices Commission and the West Bengal Government are unrealistic people, that they do not know what they are talking about. Anyway, at that price of Rs. 135 we are told that the Jute Corporation of India will be supplied with adequate funds to buy the maximum amount of raw jute that it possibly can. So long as the purchasing capacity of the Jute Corporation of India is limited whether by restraint of funds or storage space or inadequate number of purchasing centres in the primary markets, whatever be the reason, and they can buy only 8 or 10 lakh bales out of 75 lakh bales, what is the market strategy of the Jute Corporation? Is it simply to buy this limited quantity of jute and hand it over to the jute mills? Is that the only job of the Jute Corporation? Then, what impact is it going to have on the market operations as far as the minimum support price is concerned? Why not allow this Jute Corporation to build a buffer stock, compelling the mills to go and buy so that a sort of artificial shortage is created and prices do not crash? What is the strategy, I want to know.

Secondly, I want to know whether this National Jute Mill, whose management has been taken over, is proposed to be nationalised or not in the future, or whether, after it has been nursed back to health by the injection of public funds, there is any idea of handing it back to the Goenkas. I

am very glad that this management has been taken over for the first time in the history of this industry, and it is the largest mill in this country, or in Asia for that matter, employing 15,000 workers, with a modernised mill. All the trade unions in the jute industry had always been telling the Government to take over at least two or three units and run them with the co-operation of the workers and see really whether what the mill-owners say is true or not, namely that the industry cannot be run except at a loss. They said they would prove that it was not so.

Thirdly, may I know whether it is a fact or not that the Labour Minister of West Bengal, Mr. Gopal Das Nag, had recommended the idea of setting up a National Jute Corporation on the lines of the National Textile Corporation, to take over and run some 13 or 15 mills which are obviously totally mismanaged, and which are going to close down in future if left in the hands of the Bajorias, Kanorias and Jalans, and whether this recommendation has been given due consideration by the Centre? He has suggested that if 51 per cent of the equity in the proposed corporation is subscribed by the Centre, the State Government would be willing to take up 49 per cent, and they could run this Corporation. I want to know whether there is any thinking on those lines at all.

One more point, which is very important. Since he keeps on telling us that the jute industry is so much dependent on export market—which is a fact, I agree—and the demand has gone down very heavily and the future prospects are bleak, may I know why there is a Central Government proposal to expand the capacity of this industry? For what reasons? If he consults a publication called 'Guidelines for industries for 1976-77' published by the Union Ministry of Industry and Civil Supplies, he will find therein that it is planned to in-

crease the capacity of the jute industry from the present level of 1.3 million tonnes to 1.7 million tonnes by the end of the Fifth Plan, and it says:

"The total of both domestic and export demand is estimated to go up to 397,000 tonnes of hessian, 814,000 tonnes of sacking, 223,000 tonnes of carpet backing and 180,000 tonnes of miscellaneous jute products."

How are these projections made by a responsible Ministry of Government? There must be some basis. Therefore, I say that this story about export markets having completely gone into a state of recession or something and our future prospects being bleak should be taken with a pinch of salt—or, in fact, with a substantial quantity of salt..

PROF. D. P. CHATTOPADHYAYA:
I have never said that.

SHRI INDRAJIT GUPTA: You have never said that the prospects are good also. You have only said this to the extent the millowners are shouting about bleak prospects, you are prepared to go on making any number of concessions to them by way of export duties being abolished, excise duties and other taxes being abolished, subsidies being given and loans being given. They want everything, but the prices of manufactured jute goods do not go down. If you give me time, I could quote the quoted prices of 40x10 inch hessian and R-Twills sacking and so on, and you would find that the prices do not go down at all....

PROF. D. P. CHATTOPADHYAYA:
They have gone down.

SHRI INDRAJIT GUPTA: They have not gone down.

My question was this. Will he explain how on the one hand they are talking of steep fall in exports and foreign demand and on the other hand they are planning to substantially in-

[Shri Indrajit Gupta]

crease the capacity of this industry during the Fifth Plan period? Is he aware of the report of UNCTAD which has said that the real reason for substituting jute by synthetics is not high prices but the uncertainty of supply and wild rice fluctuations. This is something we have been saying for twenty years that it is fluctuations in supply and prices which scare away the foreign consumers, and this is due to the high speculative activity in this industry. What are they are doing to control that? Nothing.

Finally, I will say a word about these cases of mill-closures which he has mainly ascribed to industrial disputes. I would remind him that, on the 22nd of last month—he was not present, unfortunately, but his junior colleague was present—in a meeting of the Apex Committee for the jute industry, over which I presided on that day, the Chairman of IJMA, Shri Gauri Lal Mehta, assured the meeting that the jute mill-owners would not resort to any unilateral action of any kind without consulting the unions and the Government. The meeting was on 22nd July. They went back from here, and you will find from the statement that immediately after going back, on the 26th July, on the 31st July again and on the 2nd August, they closed down three more mills, Waverly, Shri Gourishankar and Alexandra. This was done absolutely unilaterally, in gross violation of the assurance given here, and he just writes here that these were due to industrial disputes. They unilaterally try to increase the workload in the mills and when workers protest, the mills are closed down! This is a crisis which is being created. Therefore, I would like to know from him whether they have got any long-term plan or just from hand to mouth, every day, they are going to make concessions to the mill-owners in the hope that they will do

something wonderful? Have you any long term plan for saving this industry?

MR. SPEAKER: In order that we may finish this item before lunch, may I suggest that the other two Members also ask their questions so that the Minister can reply to them together?

SHRI S. M. BANERJEE (Kanpur): No, Sir. He will forget the questions.

MR. SPEAKER: He will deal with it.

SHRI S. M. BANERJEE: We will not take more than two minutes, Sir. Let him reply lest he should forget our questions.

PROF. D. P. CHATTOPADHYAYA: To take the last point made by the hon. Member first, I think the industry has not behaved in a responsible manner in closing some of the last few units just referred to by Shri Gupta and I have drawn the attention of the Labour Minister, the junior one who was in Calcutta at that moment, Shri Bhattacharyya, that I was not happy about it and I have also told him. But the point is that the industrial disputes, work stoppage or by whatever name you may call it, the closure of the mill and the resulting unemployment of the workers has to be looked into by the State Governments. We are very much worried about it. I personally went there. I met the Trade Union leaders more than once in this matter and I have said it before and I am saying it again, that the industry has not behaved in the matter of labour relations in a very responsible manner.

Shri Indrajit Gupta also—I am moving in the reverse order—rightly pointed out how we can reconcile the two positions, namely, the proposed expansion of the capacity of the industry and the shrinking demand abroad. These are really complex things, but I would say that because of the heavy concentration of industry in and around Calcutta, the jute-growers of

distant States like Assam, Tripura, Bihar and Orissa have not been getting a fair price for a long time. Even the West Bengal jute-growers are not getting good prices. Still worse is the condition of the jute-growers of those States and those State Governments have been pressing for a pretty long time for certain units to be located in those States. At that time we agreed to give one or two units and I remember—Meghalaya—1, 2 to Assam and Bihar and 1 to Orissa. Even those notionally-agreed to units to be opened there have not been actually allowed to be opened because of the recessionary trends.

This brings to me to the point—I was just perhaps going to interrupt him—namely whether the future of our jute is very bleak. I do not share this pessimism because things have started improving. I say very cautiously, have started improving—but the improvement is not marked—because even in terms of prices some of the jute manufacturers, I take it, are becoming almost competitive with the synthetic substitutes and once the construction industry picks up in USA and EEC countries, things will improve. Therefore, the phenomenon, I would not say, is bleak but is more or less temporary that we have witnessed in the last two years and the hump, I think, could be crossed in one or two years' time and perhaps the projected expansion agreed to may be given effect to at that time but we have to be a little cautious.

Now, coming to the formation of national Jute Corporation, I think I have read it in the newspaper. I have written to the Government of West Bengal asking them for the project itself. So, when this project in writing is made available, certainly I will look into it, and with sympathy I will look into it. It has not formally been formulated and forwarded to us but, if and when it is, I shall be very glad to look into it because I think it is a positive suggestion.

price of raw jute (CA)

The second point is—perhaps it is the third point. Mr. Speaker, Sir, you are very vigilant.

MR. SPEAKER: I also get sometimes confused.

PROF. D. P. CHATTOPADHYAYA: The hon. Member asked whether the National Company should be given back to the Goenkas. My answer is: No. ...

SHRI S. M. BANERJEE: Good.

PROF. D. P. CHATTOPADHYAYA: The first question, but the last in the order of my answering the questions, is about the market strategy. I think the market strategy he indicated very briefly—perhaps I could follow it—is a very sound one. The approach we are following is somewhat like this, namely the defaulting mills will not get jute from the Jute Corporation of India. The quantity purchased will be held by the jute Corporation. I have already said this in answer to a previous question that we are for building up a buffer not only of raw jute but some of the jute manufactured items as well.

SHRI S. M. BANERJEE: In Obedience to your direction I will be brief. I will not take more than 3 minutes.

May I invite the attention of the hon. Minister to the closure of one jute mill, called, Kanpur Jute Udyog? It was closed on 5th October, 1975 and the reason for the closure is financial crisis. According to the Commerce Minister and the Industry Minister this is a captive unit of Sawai Madhopur cement factory owned by Alok Udyog. We were told by the national apex body that a compact committee would go into this matter and the compact committee has recommended that if the present employer is unable to run this mill this should be taken over by the cement corpora-

[Shri S. M. Banerjee]

tion of India. We have been told that they will get financial assistance from the various financial institutions, State Bank of India and other institutions. If this is a captive unit of Sawai Madhopur cement factory why should it not start functioning when Sawai Madhopur unit has already started? I can assure you that this Mill cannot be export oriented. They are producing mainly gunny bags which are meant for cement factories. This particular mill was ruined first by Baglas and this is now being ruined by Jains. This has become something like Somnath Temple for any Mohd. Gazni to loot it. I want a clear answer from the hon. Minister. He had the courage to take over two textile mills in Kanpur. Let him have the same courage to take this over. Under Jain's captivity this captive unit will get further ruin. Let it become a captive unit of the cement corporation of India so that 3,000 workers will not starve further.

Sir several assurances were given by Shri Alok Jain that this will start functioning but it has not started functioning. This gentleman I am sure will never start the unit despite financial assistance, unless the Minister takes a firm attitude. Let him give an assurance that by 15th of August this will be reopened or otherwise, Government will take it over.

PROF. D. P. CHATTOPADHYAYA: In fact this gentleman informed us that he will see to it that Kanpur Jute Udyog is opened by 15th of July. I am speaking from memory. That date is over and this has not been reopened. Now I have got a letter from him that this will be reopened on 1st September. We will look into it and we will see other alternative ways of reopening it if necessary.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Mr. Speaker, Sir, I will be very brief and will ask only

one or two questions. Sir, the Minister recently made a statement in Calcutta saying that Government has no intention of nationalising the jute industry. I would like to know why is it that when this industry is in such a crisis such a blanket assurance is being given and that too without anybody asking for such an assurance? Secondly, I would like to know why is it, when you are giving them so many concessions and incentives, that they are still closing down due to financial crisis? What are you doing about seeing to it that these so-called financial crises are not there. I know these financial crises are mainly due to their own inner-management quarrels. The hon. Minister has not given any indication as to what Government is doing to step in before the so-called financial crises reach to the point of closure of mills and also end up in Government money and other credits which have been given to them being played around with?

13 hrs.

PROF. D. P. CHATTOPADHYAYA: This point regarding giving concessions and subsidies has been repeatedly made and I have tried to respond to it in the best manner possible. The records will show that these concessions are sometimes given and sometimes withdrawn depending upon the cost data supplied by the industry and rigorously checked up by the Cost Accountancy Department of the Ministry of Finance and also the administrative Ministry. When we give some concessions to the industry it is not for the industrialists. If the industrial units go sick then the workers suffer, the growers of the raw-material suffer and the foreign exchange earnings get affected. We have to take a comprehensive view. We do not decide these issues on personal or isolated consideration. I have already said if the units become sick and we take over the sick units the Government will be loaded with a sector of sick units whereas all the healthy units will remain in the

private sector. I do not know what sort of logic and economic consideration can justify it.

13.02 hrs.

**CENTRAL AND OTHER SOCIETIES
(REGULATION) BILL**

(i) REPORT OF JOINT COMMITTEE

SHRI NITIRAJ SINGH CHAUDHARY (Hoshangabad): I beg to lay on the Table a copy of the Report of the Joint Committee on the Bill to provide for the incorporation, regulation and winding up of Central societies and declared Central Societies and regulation of aided Union territory societies and amalgamation of Central societies or added Union territory societies with similar societies and for matters connected therewith or incidental thereto.

(ii) EVIDENCE

SHRI NITIRAJ SINGH SHAUDHARY: I beg to lay on the Table the record of Evidence tendered before the Joint Committee on the Bill to provide for the incorporation, regulation and winding up of Central societies and declared Central societies and regulation of aided Union territory societies and amalgamation of Central societies or aided Union territory societies with similar societies and for matters connected therewith or incidental thereto.

13.04½ hrs.

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
Sixty-fifth Report**

SHRI G. G. SWALL (Autonomous Districts): I beg to present the Sixty-fifth Report of the Committee on Private Members' Bills and Resolutions.

MR. SPEAKER: The House stands adjourned for Lunch to meet at five minutes past 2 O'clock.

13.05 hrs.

The Lok Sabha adjourned for Lunch till five minutes past Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at eight minutes past fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

**CODE OF CIVIL PROCEDURE
(AMENDMENT) BILL—Contd.**

MR. DEPUTY-SPEAKER: We take up further consideration of the following motion moved by Dr. V. A. Seyid Muhammad on the 11th August 1976, namely:—

"That the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963, as reported by the Joint Committee, be taken into consideration".

SHRI R. R. SHARMA will continue his speech.

श्री राम रत्न शर्मा (बांदा) : उपाध्यक्ष महोदय, क्लॉक 27 जिस में सेक्शन 80 को अमेंड किया गया है उस के बारे में मैंने एक अमेंडमेंट दिया है। दफा 80 को अमेंड करते समय जैसी कि सेलेक्ट कमेटी की राय थी और ना कमीशन की भी राय थी उस का ध्यान न रखते हुए पता नहीं किन कारणों से दफा 80 के नीचे एक सब-क्लॉक जोड़ दिया गया जिस के कारण दफा 80 के द्वारा जो राहत आप देना चाहते हैं वह राहत मिल नहीं पावी।

आप देखिये क्लॉक 2 में है :

"But the Court shall not grant relief in the suit, whether interim or

[श्री राम रतन शर्मा]

otherwise, except after giving to the Government or public officer, as the case may be, a reasonable opportunity of showing cause in respect of the relief prayed for in the suit."

आप को पता है कि अदालतों में खास तौर से मुफ़्तसिल अदालतों में, जिला कचहरियों में बहुत कम बड़े आदमी लिटिगेशन को आते हैं। सब से छोटे और सताए हुए लोग मुकदमा दायर करते हैं। परमानेंट इंजंक्शन के लिए। एक उदाहरण देखिये। नगरपालिका की जमीन पर या और कहीं मैं रह रहा हूँ, वर्षों का बना हुआ मेरा मकान है मुझको जबरदस्ती वहाँ के आफिसर निकाल दे रहे हैं और मकान गिराना चाहते हैं। मैंने मुकदमा दायर किया। मुकदमा दायर करने की अदालत ने स्वीकृति भी दे दी परन्तु टेम्पोरेरी इंजंक्शन नहीं दिया क्योंकि उसके लिए नोटिस देना आवश्यक है और अदालत से लौटने के बाद मैं देखता हूँ कि नगरपालिका अधिकारियों ने मेरा मकान गिरा दिया। मुझे राहत कहाँ मिली। दफा 80 की नोटिस आप ने कुछ प्रतिबन्धों के साथ खत्म कर दी। इसके पहले दो महीने पहले तो हम दायर ही नहीं कर सकते थे स्टेट आफिसर या गवर्नमेंट के खिलाफ, यह आप ने एक बड़ी राहत दी थी दफा 80 में नोटिस को खत्म कर के क्योंकि आप ने उस में कहा—

"A suit to obtain urgent or immediate relief against government including the government of the state of Jammu and Kashmir."

आप ने यह कहा कि अगर अटर्नेट और इम्पीडेण्ट रिलीफ का प्रश्न है तो भागला दायर किया जा सकता है। उस में दो महीने के समय की आवश्यकता नहीं है लेकिन इस

के बाद जो आप ने दिया वह आप ने ले लिया क्योंकि आप टेम्पोरेरी इंजंक्शन नहीं दे रहे हैं। हम को कोई रिलीफ मिली नहीं हम ने कोर्ट फीस लवाई वकील का मेहनताना दिया और फिर कोई रिलीफ भी नहीं मिली। तो इन को आप जरा ध्यान से देखें और मंत्री महोदय नीचे लिखे वाक्य को निकालने का आश्वासन दें :

"The court shall not grant relief in the suit."

यहाँ से अन्त तक। इस सम्बन्ध में मैंने अमेंडमेंट दिया। जब वह अमेंडमेंट आएगा तो मैं इस के बारे में और ज्यादा कहूँगा।

क्लज 43 सेक्शन 115 के बारे में मुझे कुछ निवेदन करना है। इस में रिवीजन का जुरिस्टिक्शन है। अभी तक रिवीजन का जुरिस्टिक्शन हाईकोर्ट को था प्रस्तुत सी पी सी में जिस का कि अमेंडमेंट हम लोग यहाँ पर देख रहे हैं। रिवीजन के जुरिस्टिक्शन के संबंध में तनान हाई कोर्ट ने अपने अलग अलग अमेंडमेंट दिए थे। इलाहाबाद हाई कोर्ट ने अपने एमंडमेंट में डिस्ट्रिक्ट जज को भी रिवीजन पावर दी थी।

जब इस में बहुत दिक्कत आयेंगी। मैं बहुत संक्षेप में कहूँगा। नये नये मुंसिफ मैजिस्ट्रेट आते हैं। उन को वर्षों सी पी सी समझने में लगते हैं। अब उत्तर प्रदेश में मुंसिफ-द्वय-मुंसिफ मैजिस्ट्रेट दायर दिये गये हैं। अब और ज्यादा परेशानी हो गई, वर्षों न उन को क्रिमिनल ला समझ में आता है न सिविल प्रोसीजर कोड को वे समझते हैं। बहुतों को एक्स-पार्टी डिक्ली और एक्स-पार्टी प्रोसीडिंग में खतरा समझ में नहीं आता। ऐसे मुंसिफों और ऐसे मैजिस्ट्रेटों के खिलाफ

अब अगर रिबीजन की पावर वापस लेते हैं कि जब उस को नहीं देखा सकता तो वह अन्याय होगा। इसलिए मेरा निवेदन है कि आप रिबीजन की पावर रखें। हाई कोर्ट के साथ साथ डिस्ट्रिक्ट जज को भी यह पावर दें। लेकिन इंटरलोक्यूटरी आर्डर के रिबीजन के हम खिलाफ हैं। जैसे कि हम लोगो ने सी आर पी सी में किया है आप का बिल वा सी आर पी सी का, उस को पाम किया, कान्फ्रेंट जुरिस्टिकशन आप ने उस में दिया है। रिबीजन की पावर हाई कोर्ट को और डिस्ट्रिक्ट जज को साइमन नियमसी है, लेकिन इंटर लोक्व्यूटरी आर्डर में नहीं है। वह इंटर लोक्व्यूटरी आर्डर जावना फौजदारी में डिफाइन नहीं किया गया। उस में वेरियम हाई कोर्ट्स की अलग अलग कॉलिंग इंटरलोक्यूटरी आर्डर के सम्बन्ध में हुई है। अब हम बिल में हम को डिफाइन करने के साथ साथ इंटर लोक्व्यूटरी आर्डर में रिबीजन को खत्म कर दिया जाय और फाइनल आर्डर का रिबीजन रखा जाय और उस में दोनों कोर्टों जिला जज एव उच्च न्यायालय को पावर दी जाय।

अब एक बात यहाँ पर मैं और कहना चाहूंगा जिस से मेरे इस कथन को और समर्थन मिलता है, वह यह कि पंचम अलग हाई कोर्ट ने मुंसिफ मैजिस्ट्रेटों और प्रवीनस्व न्यायालयों के लिए कोटा फिक्स कर दिया है अभी हाल में।

मैं बाकी हाई कोर्ट्स के बारे में तो नहीं जानता लेकिन इलाहाबाद हाई कोर्ट ने जैसा कोटा फिक्स किया है उसको मैं बतलाना चाहता हूँ : वो हजार बल्ल्युएशन तक के जो मुकदमे हैं वह मुंसिफ करेंगे, जब वे 5 मुकदमे करेंगे तो वह उनका 4 दिन का काम माना जायेगा। इसी तरह वे फौजदारी में एक दिन का काम 5 कंस्टेबल केबेज अवर दैन आरपी सी से। आरपी सी

के समान केसेज के तीन फौसे दो दिन का काम माना जायेगा और बारन्ट केस का एक फौसला एक दिन का काम माना जायेगा। इस तरह से यह रखा गया है जिसमें मेरा एप्रोहेंसन है कि हाई कोर्ट केवल केसेज का डिस्पोजल चाहता है, जस्टिस नहीं। हमने बहुत सुना है—जस्टिस डिलेड इज जस्टिस डिनाइड—यह बहुत अच्छा प्रिंसिपल है लेकिन क्या यह बात नहीं है— जस्टिस हरीड इज जस्टिस बरीड? न्याय में शीघ्रता कर दोआए तो फिर जस्टिस नहीं मिलेगी, फिर न्याय नहीं मिल पायेगा जबकि न्याय के लिए ही आपने उनको वहाँ पर बिठाया है। मैं आपसे खास तौर पर बार बार कहूँ कि चूँकि मुझ को प्रवीनस्व न्यायालयों का अच्छा अनुभव है इसलिए जानता हूँ कि वहाँ पर लोग पैसे के बल पर न्याय खरीद सकते हैं। इसके बाद अगर कार्टेस को इन्वेन्च प्रोविजन्स नहीं रहेंगे कि वह फौसे को देख सकें तो आप उन गरीबों के साथ कोई न्याय नहीं करेंगे। इसलिए मेरा निवेदन है कि इसको आप कृपा करके देखें और इसकी पावर्स, खास तौर से 115 में जिस तरह से मैंने प्रमेंडमेन्ट दिया है उसको स्वीकार करने का कष्ट करें।

क्लाज 48 के बारे में मैंने टेकनिकल सा प्रमेंडमेन्ट दिया है। इसको मन्त्री महोदय देखेंगे और अगर सम्भव सम्मोहे तो स्वीकार करने करना वह लाइव्स पैराडाइज बन जायेगा और तरह तरह से इसका इंटर-प्रिटेसन किया जायेगा जिससे दिक्कत बढ़ेगी। इसको भी मन्त्री महोदय साफ करने का प्रयत्न करें।

Clause 48 says:

"In section 144 of the principal Act,—(1) in sub-section (1) for the words 'varied or reversed, the Court of first instance,' the words 'varied or reversed in any appeal, revision or other proceeding or is set aside

[श्री राम रतन शर्मा]

or modified in any suit instituted for the purpose, the Court which passed the decree or order" shall be substituted;

इस में चार-पांच तरह की परिस्थितियाँ आती हैं। पहली यह कि अपीलेंट कोर्ट ने जजमेंट को सेट असाइड कर दिया। दूसरी परिस्थिति यह आई कि रिवीजनल कोर्ट ने जजमेंट को सेट असाइड कर दिया। तीसरी परिस्थिति यह आई कि रिवीजन और अपील को छोड़ कर किसी दूसरी प्रोसीडिंग में उस जजमेंट को सेट असाइड कर दिया हो। चौथी परिस्थिति आई—

"set aside or modified on any suit instituted".

को मुकदमा हमने डिफेंडेंट के खिलाफ दायर कर दिया, वह सूट इस्टीमेट हुआ और उसमें किसी ओरिजनल कोर्ट ने उस डिफेंडेंट को सेट असाइड कर दिया हो। लेकिन एक बात आप भूल गए। आपने रिव्यू के प्राविजन रखे हैं। क्लॉज 72, आर्डर 47 में रिव्यू के प्राविजन पहले भी थे और आज भी हैं। लेकिन अगर वही कोर्ट रिव्यू करनी है तो केम क्लॉज 48 में कवर नहीं होगा। इसलिए मैंने कहा है इसके बाद आप इस तरह से सुधार दें :

"appeal revision or other proceedings are set aside or modified in any suit instituted or review application made for the purpose".

यह मेरा निवेदन है। यह बहुत टेक्निकल सा है और इससे बात साफ हो जायेगी और सभी परिस्थितियों का समावेश हो जायेगा।

क्लॉज 86, पेज 77 में जो टेम्परेरी इंजक्शन के प्रावधान थे, उसमें बहुत अच्छी बातें कही गई हैं। उन प्रावधानों को अपनी जगह पर जिस तरह से कठोर किया गया है,

मैं उन का संशोधन करता हूँ। लेकिन एक बात और कहना चाहता हूँ—क्लॉज 3 में है—

copies of documents on which the applicant relies.

इसकी, कापीज भी देनी पड़ेगी। आप न कहा है—कई पत्रों की कापीज देनी पड़ेगी। एप्लिकेशन के साथ वे कापीज दी जायेंगी। मैं प्रावीजों (ए) पढ़ रहा हूँ—

"(a) to deliver to the opposite party, or to send to him by registered post, immediately after the order granting the injunction has been made, a copy of the application for injunction together with—

(i) a copy of the affidavit filled in support of the application;

(ii) a copy of the plaint; and

(iii) copies of documents on which the applicant relies."

(iii) copies of documents on which the applicant relies."

मैं फिर उम्मीद गरीब आदमी का केस ले रहा हूँ—मैंने एक मुकदमा दायर किया कि वह मकान मेरा है, मैंने इस को किसी से खरीदा था। आज सबेरे कुछ लोग आये और मुझ से कहा कि निकल जाओ, वरना तुम्हारे हाथ पैर तोड़ देंगे। मैं यह मुकदमा परमानेंट इंजक्शन का लेकर आया। परन्तु मेल-डिंड की कापी बटकिमनी में खो गई है और उस को लेने में मुझे 15-20 दिन लगेंगे। अगर मैं उस टाइट का इन्जॉर करूँगा तो परमानेंट इंजक्शन का मुकदमा टेम्परेरी इंजक्शन दायर करने के बाद जब तक डाकुमेन्ट की प्रतिलिपियाँ नहीं दी जाती नहीं मिलेगी। मुझे तो वे बाकी सभी मकान से बाहर फेंक देंगे। मैं इस जिले से आता हूँ जो बहुत दिनों से काइम्ब के लिये मशहूर रहा है। जहाँ पर इस तरह के केसेज होते

रहे हैं। गरीबों, मजदूरों को तरह तरह से परमान किया जाता रहा है। ठीक है जब वे एवरजैम्स आई है, हालत सुधर गई है और वे लोग अपने-अपने जिले में बस गये हैं, लेकिन इस से पहले जिस जिले में रहना मुश्किल था। मेरा निवेदन है इसको आप मेंडेटरी न करें क्योंकि बगैर इसके जस्टिस नहीं मिलगा। मेरा निवेदन है आप इसको पुनः देखने की कृपा करें।

इसके साथ साथ में मजिस्ट्रेट में दो तीन बातें और कहना चाहता हूँ। मुंसिफ और जज बहुत ही लॉ-पेड हैं। इस तरह से उनका कोटा बांध दिया गया है लेकिन फमिलिटोज नहीं है। मुंसिफों को टाइम्स नहीं मिलने कि जजमेंट लिखा दे। वे दिन भर बहुत मुने, नोट्स बनाये और रान को जजमेंट लिखे—यह ह्यूमनली पर्सोनाबल नहीं है। आप उनको सुविधाओं की तरफ भी ध्यान दें। उनका तनखाह भी बढ़ाई जाये। आज एक मुंसिफ को शुरू में 500 या 600 मिलते हैं जो कि एक क्लर्क को भी मिल जाते हैं। उनको रहने के लिए क्वार्टर्स भी नहीं मिलते हैं। मकानों के एलाटमेंट की एपोग्रिटी डिस्ट्रिक्ट मैजिस्ट्रेट को होती है, वह पहले अपने अधीनस्थ अधिकारियों को एलाट करता है। बाद में कही जगह बचती है तो जूडिशियल की तरफ ध्यान देना है। उसमें भी पहले मीनियर जज को देगा और बाद में मुंसिफ को। अच्छा हो कि राज्य सरकार डिस्ट्रिक्ट जज के अन्डर में मकानों का कोटा अलग करे कि और जिला जज अपने अधीनस्थ अधिकारियों को एलाटमेंट करे। इसी तरह से बड़ा पर रिकार्ड रूम की स्थिति बहुत ही खराब है। बरसात में वह टपकते हैं और रिकार्ड ठीक मिलते नहीं हैं। यह सारी बातें हैं जिनको भी आप ध्यान में रखें।

मुझे प्रसन्नता है। आज मुझे आदमी वह अमेन्डमेंट मिला जिसमें आप राज्य सरकारों को कहेंगे कि गरीबों के लिये पैसे का इन्तजाम किया जाये। जिस तरह से भी आप पैसे में आपने गरीबों को न्याय दिलाने के लिए कहा है कि सरकारी खर्च पर सब-मैजिस्ट्रेट्स में वकील मिलेंगे उनी तरह से इसमें कहा है जिसके लिए मैं बधाई देता हूँ।

इसके साथ मेरा निवेदन यह है कि जैसे ही किसी मुकदमे का फैसला हो सारे हुए आदमी को उस फैसले की कापी बिना किसी चार्ज के दी जाय। सरकार को कोर्ट फीस में जूडिशियरी में काफी अमदनी है, अगर हमारे हुए आदमी को यह कापी फ्री दे दी जाय तो इस में कोई नुकसान नहीं होगा। बहुत से ट्रिब्यूनल में ऐसी कापी फ्री मिलनी है। क्रिमिनल प्रोसिजर कोड के अन्तर्गत भी जिस आदमी को सजा हो जाती है उस का भी बिना किसी फीस के फैसले की कापी दी जाती है। उसी तरह से इस में भी हमारे हुए आदमी को बिना किसी पैसे के फमले और डिप्री की नकल दिलाने का प्रावधान कर दीजिये।

फाइलो के मध्यमे का कम दिन-प्रति-दिन होता है, मैं चाहता हूँ कि इस में भी कोई कोर्ट फीस न ली जाय। इस समय अगर कोई आदमी किसी फाइल का मुआबजा करने जाता है तो उसे फीस देनी पड़ती है गरीब और अमीर को बराबर पैसा देना पड़ता है, मैं चाहता हूँ कि इस में पैसा न लिया जाय और कोर्ट का रिकार्ड उस को देखने दिया जाय।

कोर्ट फीस की कमी के लिये सीलेक्ट कमेटी ने भी कहा है और मेरे कई दोस्तों ने यहां भी जिक्र किया है। कम से कम यूनि-

[श्री रामरत्न शर्मा]

यन दरिद्रीय में, जो घाप के अधिकार क्षेत्र में जाती है, घाप कोर्ट फीस कम कर दें, इस से शर्तों में श्री सचिव मिलेगा, वे कह सकते कि यूनिवर्सल टैरिफरीज में सेंट्रल सर्वेन्मेंट ने कोर्ट फीस कम कर दिया है, इसलिए उन्हें भी कम करना चाहिये।

इन शर्तों के साथ मैं इस बिल का समर्थन करता हूँ।

MR DEPUTY-SPEAKER. We had a balance of one hour and ten minutes when we started, and out of that, Mr. Sharma has taken about 18 minutes. There are still a number of Members who want to speak. I would like to know what you want to do about it.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I suggest that the general discussion may close around 3.30; the Minister may be called at 3.30 and after that, we take up clause-by-clause consideration.

MR. DEPUTY-SPEAKER Mr. Jagannath Rao.

SHRI JAGANNATH RAO (Chattrapur): I rise to support the Bill as it has emerged from the Joint Committee, but while doing so, I wish to make some observations generally and also in respect of certain Clauses.

The objects of the Bill as originally introduced have been enumerated as:

"(i) that a litigant should get a fair trial in accordance with the accepted principles of natural justice;

(ii) that every effort should be made to expedite the disposal of

civil suits and proceedings, so that justice may not be delayed;

(iii) that the procedure should not be complicated and should, to the utmost extent possible, ensure fair deal to the poorer sections of the community who do not have the means to engage a pleader to defend their cases."

I wonder whether any of these three objectives will be achieved by this Bill. Let us not flatter ourselves that this amending Bill, as it has emerged from the Joint Committee, will be able to achieve any of these objects. The Code of Civil Procedure is a complicated thing. It was framed in 1908. We have streamlined it here and there, we have removed some hardship here and there and codified some of the legal decisions and we have removed certain conflicts in decisions. But that does not mean that the litigant is able to get speedy justice or justice at less expense. Let us be clear about it. I do not blame anybody, but by the civil Procedure, as it stands, none of these objects can be achieved.

I am glad that some of the provisions which have been introduced are really good. They have removed the doubts and conflicts in respect of judicial decisions which had prevailed, each High Court giving a different decision about a particular matter. That has now been set at rest. For instance, in section 11, *res judicata*, there was a conflict of judicial decision, whether the decision of a court with limited jurisdiction can operate as *res judicata* in a subsequent proceeding between the same parties in a higher court. There was a conflict of decisions and now it is set at rest by saying that the decision of the lower court with limited jurisdiction will operate as a *res judicata* in a subsequent suit between the same parties in a court with higher jurisdiction.

14 hrs.

Secondly, it is also made clear that the principle of *res judicate* applies to execution proceedings. It is a good improvement.

So also Section 60 of the original Act has been amended which has given greater concessions to the judgment-debtor from arrest and also from attachment of his salary. That will relieve some hardships.

Then, I come to Section 80—notice to Government and officers of the Government. The Law Commission in its two reports have recommended the deletion of this Section. The Bill as originally introduced also deleted that Section but the Committee, in its wisdom, found that the notice should be there so that cases which are genuine might be settled out of court by the Government so that unnecessary expenditure need not be incurred by the litigant and also the litigant need not undergo unnecessary expense and worry. But this Section which is being restored should not be understood in favour of the Government but the Government should deem it a duty to see that whenever a notice under Section 80 is received, it should examine the claim of the aggrieved citizen and see that it is settled if it is genuine so that litigation could be avoided. Otherwise, the Government or the Government officers never bothered to look into the notice. The litigant is at a loss and he has to go to the court. The purpose was not being served. Now, I hope with this amendment, the litigant will not be driven to the court to file a suit. In cases, of course, where the Government feel that the claim is genuine, it could be settled and avoid the litigant from going to the court.

About Section 100 which speaks of Second Appeals, they have introduced the words 'substantial question of law'. The wording earlier was 'on

a question of law a second appeal shall lie'. That is the wording under the existing Section 100 of CPC. But they have now put the words 'on a substantial question of law'. A substantial question of law should be involved for a second appeal. What does it mean? Suppose the decision of a suit depends on a question of limitation where the plaintiff files a suit and the defendant contests the suit as barred by time, is it a substantial question of law or is it only a technical question of law? If the latter is upheld, the appeal fails. Therefore, I cannot understand why 'on a substantial question of law' have been introduced in Section 100. I think really it is taken out of the Constitution where it is said 'substantial question of law involving the interpretation of the Constitution'. There is an Article in the Constitution. That has been copied here. But I believe the Minister will agree with me that any question of law which has the effect of deciding the result of the case should be considered as a substantial question of law.

Then, Section 115 has been amended so as to take away the powers of revision of the High Courts against interlocutory orders. This Revision was causing a lot of inconvenience to the litigants against interlocutory orders filed in courts which are pending for years and the suits are being stayed. This has been taken out. Of course, the power of revision of the High Courts is there where no appeal lies. It is there. I fully endorse this amended clause.

Then, I come to Order XX. About judgments a new clause has been introduced. The judgments should be delivered within a fortnight of the closing of the hearing of the case. If that is not possible, with notice to the parties, it should be done within 30 days. This is very salutary. If the court finds that it is not possible to deliver the judgment within 30 days, for reasons to be recorded in writing, it can postpone the delivery of the

[Shri Jagannath Rao]

judgment to a subsequent date giving notice to the parties. Therefore, the purpose of the amendment would not be served ordinarily in cases where the Judge has to give notice to parties of judgment at a later date and I do not think the litigant will be benefited.

I am glad that another new Order—Order XXA has been added which gives the party, the litigant the costs incurred by him prior to the filing of the suit. It is a good thing. Previously the plaintiff who obtained a decree could not get the costs incurred by him prior to the filing of the suit. Now, this has been included. It is a good improvement.

There is a new Order, Order XXXIIA which relates to suits relating to family matters. Now, under this provision, in such family suits the courts shall try to settle them before the trial begins. It is a good thing in family matters like a husband filing a suit for judicial separation or the wife filing a suit for maintenance. There the courts will come to the aid of the parties and in *camera* they could try to settle and see that they could come together. Family members are defined. It is a good provision. In most cases the courts will succeed in seeing that parties come to an understanding without undergoing the trouble of leading evidence on either side. Similar provision should be made for suits also where the subject matter of the suit does not exceed Rs. 2,000. We have limited the right of appeal to suits where the subject matter is more than Rs. 3,000.

So, Sir, similar provision should be thought of here also so that the court would come to the rescue of the persons and see that the matter is settled.

We come to order No. 33 which was called *informa pauperis* and now it is called suit by indigent. Now the position is that assistance of lawyer would be given to the plaintiff. The High Court is authorised to frame

rules as it deems fit but God alone knows when the high court will frame such rules. Legal aid should not be taken as meaning only assistance of a lawyer. Now you are giving assistance of lawyer only to plaintiff who is indigent. But what about defendant who is also equally indigent? I am not talking about rich defendants but I am talking about indigent defendants. He is equally indigent and he should be entitled to legal assistance. This of course come within the purview of legal aid. So it should be considered.

There is also another proposal in the amending bill has been brought should be disposed of within 60 days. Under the election law, election petitions are required to be disposed of within 6 months but they are never disposed of within 6 months. They take years. So, it is only a pious wish. Much time is taken up in serving notice of the appeal on the respondents. So, though it is a good thing, I doubt whether this will be achieved.

Sir, none of the objects for which the amending bill has been brought forward can be achieved by this amending bill. But the Bill is helpful in this respect. It has streamlined the procedure. It has removed doubts. It has removed conflict of judicial decisions by codifying the law.

On legal aid, the question is how the litigant can have in expensive justice and also speedy justice. Court fees have become major source of revenue for each State Government and every year they raise court fees. It is impossible for the litigant to pay such high court fees. The Law Minister told us that last year he had written to Chief Ministers about it. But there has been no effect so far. When I spoke on Law Ministry's Demands this year I said that court fees should be kept within reasonable limits, and that they should not be raised. Administration of justice is also a function of a State which is a welfare State.

Then, Sir, another way of imparting inexpensive and speedy justice is to decentralise the courts. I said so on an earlier occasion also that the munsif/magistrate courts should be established at each block headquarters so that the litigant will not be compelled to take the witnesses to the nearby cities. The witness is the major source of expenditure for the litigants because witness is to be treated as an honoured guest get his evidence in his favour and so the expenditure on this account will be curtailed if the munsif courts are established in block headquarters.

Of course the Minister may say that this is a state subject. As regards Nyaya Panchayats, cases with a value of Rs. 500 or 1,000 should be given to them. Gram panchayats are throughout the country and we should try this experiment. Then only we can think of giving some inexpensive justice to the poor litigants.

This legal aid, as I said, should not be understood only as legal assistance. It really means assistance to establish legal rights or to defend one's right. Therefore we should also think of giving assistance to him during pre-litigation period for settlement of his claims.

Sir, this longwaited legal aid scheme should be introduced in one form or the other. We are appointing committees after committees. Mr. Justice Krishna Iyer's Committee report is a very good report. I have gone through it. Now, I understand that Mr. Justice Bhagwati Committee has been appointed to go into this question again. Why have Committees after Committees—I do not know—without Government's coming to a decision? Let some decision be arrived at and then we shall later see whether we can improve upon it or review it or modify it, if necessary.

Administration of justice is part of the function of a welfare State. The

litigant should not be penalised for going to courts to establish his right. The expense to be incurred by him should be as less as possible. You may increase the number of courts, decentralise them and have them at the block headquarters. There are so many ways of dispensing justice to the litigants at less cost.

SHRI B. R. SHUKLA (Bahraich): Mr. Deputy-Speaker, Sir, there are three codes operating in this country—Criminal Procedure Code, Indian Penal Code and the Code of Civil Procedure. Government has done well by bringing in amending Bills relating to these three Codes. Civil Procedure Code affects the lives and the affairs of the millions of this country. Its application is not confined only to suits and proceedings in civil courts but these provisions are also made applicable even to the proceedings before a commission of inquiry and to various other Acts where the rights of parties come for determination. The provisions of this Bill aim at shortening the litigation and reducing its cost and streamlining the administration of justice and, to the extent, these things have been achieved through this Bill, they are welcome and they deserve the support of the whole House.

Many deficiencies have been pointed out. My respectful submission to the critics of this Bill is that they should not deem it as a panacea or a palliative for all the judicial ills prevailing in the judicial system. Let us approach the provisions of this Code on their own merits. Sec. 80 and 115, have been the most controversial provisions in this House. Section 80 was enacted in the C.P.C. in order to give Government or its officer an opportunity to settle the claim of an honest litigant outside the court. The State is not supposed to indulge in the luxury of litigation for litigation sake. But, this salutary principle underlying this Section (80) was belied by the performances of the Government. Therefore, the Law

[Shri B. R. Shukla]

Commission recommended for the deletion of the provision of two months' notice to Government before the institution of the suit. But, Government has rightly not accepted in toto the recommendation of the Law Commission. After all the functioning of the Government is not to be crippled by unscrupulous litigation. On the one hand the rights of the citizens are to be protected and at the same time the functioning of the Government is not to be paralysed. Therefore, a balance was expected to be struck in between the two extreme views and I am sorry that the Government has—by making some concession for the deletion of the necessity of notice prior to the institution of a suit—only indulged in self-defeating exercise in legislation. I give the following reasons in support of my contention.

It has been provided that with the leave of the court a suit may be instituted by a plaintiff when relief of urgent and immediate nature is sought in the plaint. Now, if the matter is urgent and immediate and if interim injunction or interim stay is not granted before hearing the other party then what is the use of allowing such suit to be instituted. Therefore, my submission is that Section 80 which is being newly inserted needs thorough change as suggested by the Members from the ruling party as well as the opposition parties.

We know that the actions of bureaucracy are increasingly impinging on the life and affairs of a citizen. Article 226 is sought to be curtailed. 32 is already suspended. Where the poor citizen is to go? The municipal authorities are abusing their powers and ordering the demolition of houses without the authority of law. If the citizen goes to the court and institutes a suit for permanent injunction seeking restraint on the action of the authority and he is allowed to file the suit without prior notice but if interim injunction is not granted then by the time

notice is served on the public functionary and by the time injunction application is disposed of the house will be demolished. What will be the use of instituting such a suit? Therefore, my suggestion is that when there is necessity of granting urgent and immediate relief because substantial damage is likely to happen interim stay order or interim injunction should be given and that should be quickly and expeditiously disposed of within two to three weeks according to the time Government may think proper. That is as far as Section 80 is concerned.

Now, the whole procedure is directed towards shortening the length of litigation. We know that Section 115 CPC has been passed in such a way as to terminate the litigation in an expeditious way.

Government have come with certain amendments to section 115, but the second part of section 115 still leaves a big loophole which can be utilised by unscrupulous litigants, the rich with their purse to block the early disposal of the case. Therefore, my submission is that it should, as Shri R. R. Sharma has pointed out, be specifically provided in this amending Code that no revision shall lie against interlocutory order, and the district judge should also have concurrent jurisdiction, as provided in Cr. P. C. to hear revision against interlocutory order against the order passed by courts subordinate to the district judge.

The third thing relates to adjournments. Lawyers, law and the law courts are prominently coming in for contempt from those quarters which are ill-informed, uninformed and those who are ignorant of law. It is sought to be provided in this Code that if a lawyer is engaged in some other court that should not be the ground for adjournment. Lawyers work not always for fee only. A lawyer with a name and fame at the Bar is a most sought after lawyer and a litigant should not be deprived of the services of an eminent lawyer merely on the

technical ground that he is engaged in some other court. Dr. Katju used to have five or six cases daily in High Court. He opened one case of first appeal in one court, passed on to the other court to reply on behalf of the respondent. His junior was working in a third court. For God's sake, do indulge in the practice of putting a ceiling on everything on earth, but do not put a ceiling on merit and excellence in this country. This should not be done, particularly through the hands of two eminent lawyers like Shri Gokhale and Dr. Seyid Muhammad.

So far as the question of providing legal aid to the indigent litigant is concerned, I welcome it as a very salutary and commendable move on the part of Government. Up till now, concession was made only with respect to the payment of court fee. Now a pleader can also be appointed on behalf of a plaintiff. In the case of a defendant, if he has got a counter claim as a setoff, he can be treated in the same manner as the plaintiff. But what about those millions of persons who have no home, no hearth, whose huts are being demolished, who need protection against the rapacious acts of moneylenders? They also need protection. An accused who has committed an act of pickpocketing, who has committed a murder, is given a lawyer in a criminal court under the Cr. P.C., but if a citizen who is not possessed of sufficient means is being sued by an unscrupulous plaintiff, does he not need the protection of the State to defend his claim, to defend his right?

Therefore, my submission is that particularly when there is a dialogue going on for changes in the Constitution, when legal aid is sought to be incorporated as one of the directive principles in the Constitution, it is all the more in the fitness of things that aid to defendants who are indigent should be accepted in the same way as aid is sought to be extended to the plaintiff. So far as the delivery of judgment is concerned, there is a very

good move that it can be dictated through shorthand and the judge need not wait for writing the judgement in a leisurely way.

One thing that is lacking is that there is no provision for filing written arguments. We know that judges and presiding officers sometimes do not touch those points which are raised at the bar and for which they have got no effective reply and therefore they conveniently ignore those points. In Cr. PC it has been provided that the parties can file written arguments. I want the incorporation of the same provision in CPC also.

I do not know how Mr. Chatterjee has a grouse about the provision for filing caveat; a very important and unprecedented measure is sought to be incorporated by this. Of course it shall be made workable. Mr. Chatterjee is an eminent advocate and has been objectively critical but after a certain stage he has fallen into his usual rut of party politics.

SHRI SOMNATH CHATTERJEE (Burdwan): I have no views about caveat, I only say that it should be workable. Have you got any whip on caveat? Then why talk about party politics?

SHRI B. R. SHUKLA. I am under the pressure of nobody and no whip has been issued. Previously caveat was confined only to Supreme Court, now it has been extended to lower courts. To that extent it is a welcome and important development. We know that the workload in law courts has increased beyond proportion and the number of judges should be increased. Laws are passed very rapidly and they are multiplying day by day. There should be provision for good libraries, there should be good selection of judges. Unemployment among the lawyers is causing grave concern. If legal aid is provided to the poor clients, whether they are defendants or plaintiffs, the measure would be doubly blessed because it will help to relieve unemployment and it will help the poor litigants.

[Shri B. R. Shukla]
also. This surplus material is lying in a state of waste.

So far as the Bill is concerned it is welcome as far as it goes. Deficiencies are there but they can be rectified during the course of the working of the code. With this limited observation, I support wholeheartedly the provisions of the Bill with the request that the Minister should not listen to our views only by way of courtesy, he should ponder over the amendments which we have moved and he should consider them impartially and objectively and should be gracious enough to concede them.

15 hrs.

SHRI S. M. BANERJEE (Kanpur) I fully endorse the views expressed by my hon. friend Shri Somnath Chatterjee. Some of his points were supported by Shri Rao also. There is a saying: justice delayed is justice denied. We have our experience in courts of law. When the workers are denied justice either by the State Government or Central Government or by private mill owners, they have to approach the courts of law and we have seen the plight of such workers. At every step they have to pay money. The intention was that litigation should be made least expensive. But after reading the report of the Joint Committee can we say that they have achieved this? I admire some of the members who have given very thoughtful consideration to the entire matter and in their minutes of dissent, they have suggested—including Mr Daga of the ruling party—certain things which should have been included in the Bill. But unfortunately many of their suggestions were not accepted. The Minister himself admitted in his opening remarks that in the original Bill as introduced in the House, sections 80, 115 and 132 were proposed to be omitted. I do not mind sections 115 and 132, but section 80 should have been omitted long ago. Section 80 says that 60 days' notice should be given by anyone who notice to move the court of law. After dismissal or termination of service or premature retirement etc., an employee has

to give notice of 60 days to the employer before going to the court. The intention was that this period will be utilised by the government or the employers to find out whether any injustice has been done to that employee. But it is never done. In the defence industry itself, there are hundreds of notices under section 80. My hon. friend, Mr. Chatterjee gave notices in almost all the cases of illegal dismissal and termination of service of defence employees. But even after two or three months passed nothing happened and he had to approach the High Court in the form of a writ petition under article 226. This is the main worry of the Central Government employees so far as article 226 is concerned, because section 80 is not taken seriously. Nobody takes seriously the unstarred question put in this House. The replies given are generally wrong. Unless we put a starred question and also many supplementaries, the actual answer will never come. That is my experience and may be that was your experience also, Sir, as an ordinary member. So I fully support amendment No. 17 given notice of by Shri Chatterjee that section 80 should be omitted. Nothing is going to be lost if this section is omitted. It has no utility. As I said in the Bill as introduced, it was omitted. I do not doubt the wisdom of the Joint Committee. Generally I rely on them, but in this case I do not know what forced them to accept the continuance of section 80, with certain modifications.

Section 115 may or may not be there. But its omission would have been better. Because in some cases, what happens is, some orders have been passed in a court of law. In my case, when I was fighting the election petition in 1957 some amendment was going to be accepted by the High Court rightly or wrongly. I do not want to say because I do not want to question the wisdom of the judiciary. I, in my wisdom engaged the late lamented Shri N. C. Chatterjee and I came to the Supreme Court against that order. I won my case. The judgment in my case is still shining, and that was the

wisdom of the late lamented Shri N. C. Chatterjee, who advised me to come to the Supreme Court. I came to the Supreme Court, knowing fully well that justice might be denied in the High Court. Such things do happen. I know if this provision remains, sometimes it is misused, I agree. But merely because something is misused, if you take it away, it is wrong. Take the case of MISA, which was meant to be used against right reactionaries. Now they use it against left forces also. Could we ask that it should be taken away on that score? Merely because a power has been misused by somebody, that should not be the ground for taking it away.

To clause 68 Shri Somnath Chatterjee has moved an amendment which says that nothing hereinbefore contained shall prevent a court from granting an adjournment. Shri Shukla, who spoke before me, definitely said something about good lawyers. Whether it is the Supreme Court or the High Court, all the important cases are dealt with only by a few selected lawyers. It is the misfortune of the country that they get all the brief not because they want it but because the clients want it. Our Judges are also pleased if there are good lawyers. Ordinary lawyers will not be regarded as lawyers and nobody will listen to them. But if you are represented by men like my hon. friend here, or Shri Daftari every one will hear you. For instance, when Shri Setalvad appears for any side, the Judge nods his head very well. If a particular lawyer is engaged, honestly engaged in a particular court, why should it not be given adjournment? There are so many MPs here. Some of the MPs are full of work throughout the day and want adjournment every day. But there are other MPs who have nothing to do. Yet, they are paid equally. That is another misfortune of the country. Those affluent lawyers who have earned name and fame because of their exceptional merit, they should not be penalised. Because, ultimately it is not they that

are going to be penalised but it is the clients. I know how they run from court to court to find good lawyers.

Here I must congratulate both Shri Gokhale and Dr. Seyid Muhammad for bringing in this minimum concession to indigent persons. It says here:

"Subject to the provisions of the Order, the Central or State Government may make such supplementary provision as it thinks fit for providing free legal service to those who have been permitted....."

What happens to the free legal aid to the poor? I think Krishna Ayyar Commission and the Bhagwati Commission have recommended it. I do not know how many more Commissions have to recommend it before it is accepted by Government. Unless the poor become poorer, they are not going to get free legal aid. This is the fate of the poor people who cannot afford the luxury of going to courts. I have seen condemned prisoners asking for legal aid and just ordinary lawyers are placed at their disposal. I am saying this with all regard to the lawyers. I know the fate of such persons. There is a joke in Calcutta that a condemned man's case finally came up before the court, and the Judge pronounced the sentence of death. Then the prisoner asked the lawyers what he should do. The lawyer said:

उच्चारण करिये दुर्गा का नाम, सभी
तो लटक जाइये, बाद में देखा जायगा ।

This is exactly what happens. A condemned man who wants a lawyer to represent his case in the Supreme Court or the High Court should be given a good lawyer.

So, I want to know what has happened to the report of the committee of Justice Bhagwati or Justice Krishna Ayyar. When are the poor people going to be given legal aid? After the completion of the Fifth Plan, nobody may be poor at all. So, let it be done before that happens.

[Shri S. M. Banerjee]

In U.P., especially in the Allahabad High Court, there is so much of arrears. I want to know from the hon. Minister how many cases are pending.

SHRI SOMNATH CHATTERJEE: How many vacancies of Judges exist.

SHRI S. M. BANERJEE: It is said there are 65 vacancies. I think the majority of them belong to U.P., because, after all, it is the biggest State, and it should have that credit. I am told that the names of persons both from the bar and from the judiciary, have come and are here in Delhi, I do not know in whose shelf. It is not that they have been approached by these people. I am only saying that the names have been recommended, but the persons are not being appointed. Let the Judges be appointed, and let the courts function. In the Labour Bench, for instance, after the death of Justice Dwivedi, I do not know whether the vacancy has been filled up or not. Either you run the courts efficiently or abolish all the courts and have people's courts. At least the cases will be decided, and will not be hanging for years. Litigation goes on for 15 years and meanwhile the house gets dilapidated. So, the vacancies should be filled up. There is no dearth of intelligent people in India who can be appointed as Judges. They are available in the country. Take them from the bar or outside, pay them well. Otherwise, they will be the same as Members of Parliament. I am talking about intellect, because I have very poor intellect.

MR. DEPUTY-SPEAKER: You are too apologetic.

SHRI S. M. BANERJEE: Do you think now it is as it was in the days of Jawaharlal Nehru? It is good actually that people are coming from the soil and the factories, but I think there is some deterioration in intellect both on this side and the other side. So, these vacancies should be filled up.

I once again request the hon. Minister to reconsider the amendments and not reject them only because Shri Chatterjee has moved them. Mr. Shukla, who has gone out, attributed some political motives to them, but I support all his amendments because they are well thought out. I hope the hon. Minister will agree and accept them. If he is allergic to Chatterjee—I am sure he is not—let them be in the name of Banerjee and be accepted.

SHRI LILADHAR KOTOKI (Now-gong): This amending Bill to the Code of Civil Procedure was long overdue. Successive reports of the Law Commission wanted this Code to be amended, and the Bill is before us. The objects and reasons of the Bill are to reduce the delay, minimise the costs and give relief to the poorer litigant and enable him to have a fair trial. All these objects, admittedly, cannot be achieved by amending the Procedure, to whatever extent we may desire. Therefore, as several hon. Members have said, which I would also endorse, for the avoidance of delay or minimising the delay the quality of the judiciary and also the strength have to be looked into; this cannot be provided for in the Procedure, Government has to do it.

Secondly, I come to reduction of the cost of litigation. It is admitted, it is true, that, of the various items that contribute to the cost of litigation, court fee is a very heavy item. But here also the Code cannot do anything; under the existing provisions of the Constitution, the Central Government cannot do it. Therefore, Government has to look into that also.

What I want to say is this. With these limitations, the Bill has attempted to remove these difficulties of the litigant to the utmost extent possible.

Here section 80 is a bone of contention, whether this section should be omitted or retained. The Joint Committee has suggested a modification to section 80 if it is to be retained. The

genesis of the argument why section 80 should be omitted is non-compliance by the Government—if the intention or purport of this section is not respected why not delete it? The Law Commission has also held that view. Shri S. M. Banerjee, in another context, argued that if a law is disobeyed or is not operated, that will not be a good reason to say that the good law should be done away with. I put it to Mr. Banerjee to consider this. It is not to favour the Government that section 80 was put or is intended to be retained. The question is whether a citizen, having a rightful claim against Government, should be saved from going in for unnecessary litigation. That is the point. I do concede that Government might not have respected this intention. Therefore, I would urge that the Government has to ensure that the rightful claim of a citizen against Government is settled without compelling the citizen to go to the court. Therefore the question is whether this section should be done away with or pressure should be brought on the Government that they should respect this intention. The section should be retained because that will help the ordinary citizens, particularly the poorer and weaker sections of the community, to get relief from the Government. A notice costing 25 paise or so, in his own hand-writing, is given to the Government, 'Here is a claim; if you do not settle it, I will be forced to go to the court'. That is a simple thing. We expect, the citizens expect, the House expects, that the Government, on getting that, will examine it forthwith whether that is a legitimate and rightful claim of the citizen against the Government and if it is so, they should settle it. Even in courts, there is the suggestion for pre-trial conference and so on. After all, what is the intention? When a suit is instituted, an attempt should be made with the parties concerned in the suit to settle it without going further, so that further litigation is avoided. If that good intention is there, if section 80 gives that opportunity to enable the Go-

vernment to consider it, that might be considered.

SHRI S. M. BANERJEE: I know he was the Chairman of this Committee but the question was this. It is a very simple question. Section 80 was not in the original Bill which was introduced. It was brought as an amendment by the Government. Whether the Member wanted it or not, I am not concerned. I hope the Member never wanted it. My submission to Mr. Kotoki is this. Supposing Section 80 is done away with, what will be the result? The aggrieved person, the aggrieved employee has given a notice. I write a letter to the Government and the Government might reply in 60 days. Otherwise what is happening? I send a representation, I give notice and when I approach the High Court, they say, 'You must approach the highest appellate authority and get a no-objection from them and then only it will be admitted.' That is my misfortune.

SHRI LILADHAR KOTOKI: It is there. That is why this provision has been made that in such cases the parties can file the suit and ask for injunction. Anyway I am not going into that.

Another point I would like the House to consider is this. Is it practicable to equate a citizen with a government and in a dispute of a civil nature? If an individual is given notice of, he can at once know the case and dispose it of. But the Government is a complex institution composed of so many persons and a notice of a duration that is required of an individual to come to a decision is not sufficient for a Government because so many persons are involved. (Interruptions) and because so many persons deal with the matter and the cause of action might have arisen long ago. And those persons might not have been there. Therefore, the person-in-charge should be given a chance to understand the case. These are certain considerations which the

[Shri Liladhar Kotoki]

House would consider before they finally decide whether Section 80 is a healthy and good provision or that it was not respected and, therefore, it was not respected and, therefore, it should be done away with. So, within these safeguards, in emergent cases the relief is provided in the Section itself.

One more point. . .

SHRI SOMNATH CHATTERJEE:

With respect to the hon. Member, you have provided that in cases of urgent and immediate relief suits can be filed without notice, but mere filing of a suit does not give immediate relief unless an application is made which you cannot make without giving a reasonable opportunity to the Government. Then how can immediate relief be given? If your intention is that, how is that translated into action by the proposal you have made?

SHRI S. M. BANERJEE: Why did you not consult Mrs. Ray? She is there.

SHRI LILADHAR KOTOKI: That is not for me to reply. I cannot argue in that way. I have raised certain points for the consideration of the House. Ultimately it is for the Government and the Minister to consider them and reply to them.

So far as legal aid to the poor is concerned, it is in the procedure as in other cases also, but the whole thing cannot be taken care of. I would urge that in the course of our investigation also it came to light that the poorer sections, the weaker sections must be enabled by the State or whatever agency that is created by the State so that the poor can have justice against their affluent counterparts. Therefore, I would urge upon the Government to take early steps to see that this legal aid to the poor legislation is brought before the Parliament at the earliest possible.

The last point I would make is that in order to reduce the pressure on our

courts, all cases which are of a civil nature or money suits or small civil disputes might be relegated to the lower courts and further lower down to the Panchayats which can be entrusted with disposing of these things and most of them can be settled without much cost and delay. Government might consider this.

My last point is regarding adjournments. There are both sides to the coin. It will not serve our purpose to try to blame this side or that side. Delay has taken place for various reasons. Without making any reflection either on the judges or the lawyers or even the litigants, we have to see how far the procedure can be simplified so that unnecessary adjournment does not take place. Let us be practical. If the procedure can be improved in order to avoid delay, it is a good thing and the Bill seeks to do that. With these words I support the Bill.

सरदार स्वर्ण सिंह सोखी (जमशेदपुर):

डिप्टी स्पीकर महब, यह जो सी.पी.सी. अमेंडमेंट बिल लाया गया है जो कि 8 अप्रैल 1974 को लोक सभा में पेश हुआ था और इसमें जो दो साल लग गये इसका मुझे बड़ा अफसोस है कि इतने साल तो यहीं लग गये हैं। अभी जितने लोग बोले हैं करीब करीब सभी वकील लोग हैं, लेकिन मैं क्लाइन्ट्स की तरफ से कुछ बातें आपके सामने रखना चाहता हूँ कि उनको क्या क्या तकलीफें होती हैं। क्लाइन्ट्स अगर न हों तो आपके वकील और कानून किसी काम के नहीं हैं। वकील मस्खियां मारेगे। क्लाइन्ट्स के फायदे के लिये यह एक अच्छा कानून आया है, मैं इसका स्वागत करता हूँ। प्रोसीजरल डिले के बारे में कहा गया, एफ़ तो डिले होती है ही क्योंकि कभी कोई नोटिस नहीं मिलता है, कभी कुछ होता है, उससे बाद क्या होता है कि आपके जो वकील लोग हैं वह क्लाइन्ट्स को इतना तंग करते हैं कि

उन बैचार्स के कपड़े तक बिक जाते हैं और बुरा हाल हो जाता है कचहरियों में दौड़ मारते मारते। मैं पूछना चाहता हूँ कि यहाँ किसने बकील लोग हैं जिन्होंने यह कहा हो कि हम 20 सूची कार्यक्रम के मातहत काम करेंगे? एक ने भी नहीं। बकील लोग तो अपनी फीस भाई, बहन तक से नहीं छोड़ते हैं, और अच्छी फीस न दें तो केस ही खराब बर देते हैं। आप जाँ डिने को कम करना चाहते हैं उसके बारे में आपको कोर्ट्स को हिदायत देनी चाहिये। अभी हाल यह है कि आपके मुक्ति, मैजिस्ट्रेट और जजेज करण्ड हैं, वह देखते हैं कि जितनी देर बरो कुछ पैसा बनेगा। बिहार में ऐसे करण्ड लोग। रुतने ही पकड़े गये हैं और निकाले गये हैं। और यह जजेज जब कोई सरकार का मुकदमा आ जाता है तो कभी इन्फा नही करते हैं रजिल के साथ। मुझे पता है कि आपका एडमिनिस्ट्रेटर जनरल ऐक्ट बना हुआ है और वह इसलिये है कि कोई गरीब मर जाय फकीर मर जाय तो उसके कपड़े सबालें और जो भी कुछ करना है वह कर कराकर उसका दाह सस्कार करा दे। लेकिन मैं आपको बताऊँ कि बिहार में एडमिनिस्ट्रेटर जनरल ऐक्ट का मिसूख होता है। मुझे एक केस बिहार का मालूम है। हिन्दू कभी कोई वारिस के बैगुर नहीं मरता है। 1955 में क्या हुआ कि एक इलाहाबाद का आदमी था जिसका जमशेदपुर में मंडर हो गया, उस की प्रीपर्टी बहुत थी। उसके लीगल वारिस भाये, एडमिनिस्ट्रेटर जनरल ने उनको पकड़ लिया और हाई कोर्ट में रिट पेटीशन देकर उस की प्रीपर्टी पर झट से कब्जा कर लिया। जब कि उनका काम यह होता है कि जो लीगल वारिस भाये, सम्बेशन सर्टिफिकेट देब कर, उसकी प्रीपर्टी दे दें।

15.30 hrs.

(SHRI C. M. STEPHEN in the Chair)

डिस्ट्रिक्ट जज, पुरनिया ने सर्टिफिकेट दिया। उसके बाद भी अपील करते करते प्रीपर्टी को बेच दिया। उनको प्रीपर्टी बेचने का कोई हक नहीं है। मैं मिनिस्टर साहब से यह केम भेजने के लिए तैयार हूँ।

सरकार को अपने अफमरों को यह हिदायत देनी चाहिए कि वे इस तरह के काम न बरे। जहाँ तक जजों का सवाल है, वे कम्पलसरी रिटायरमेंट के डर से उल्टे फ़ैसले दे देते हैं। जब फ़ैसला ठीक नहीं होता है, तो फिर इन कानूनों की क्या जरूरत है? कानून की कचहरिया इन्साफ़ के लिए बनीं हुई हैं। लेकिन हालत यह है कि झूठे केसिज 99 परसेंट कामयाब हो जाते हैं और सच्चे केसिज नाकामयाब होते हैं। सरकार को इस तरफ़ ध्यान देना चाहिए, वरना इस अमेडमेन्ट से कोई फ़ायदा नहीं होगा।

मुझे पता है कि कई हाई कोर्ट के रिटायर्ड जज सुप्रीम कोर्ट में प्रैक्टिस करते हैं और मुवकिलों से डाई तीन हजार रुपये रोज की फ़ीस लेते हैं। इसके बावजूद हालत यह है कि बकील यह नहीं बताते कि उनके केस का क्या हुआ। अगर कोई बड़ी पार्टी भाई, तो मुवकिल से पूछे बिना काम्प्रोमाइज करसिते हैं। अगर लाइयन्स इस तरह के काम करते रहेंगे, तो फिर इन्साफ़ नही होने वाला है। मैं बड़ा हैरान हूँ कि डी०आई० आर० और मीसा बड़े बड़े लाइयन्स पर क्यों नहीं लगाया जाता है। इन लोगों की रोज की आमदनी 5, 7 और 10 हजार रुपये तक होती है। कलकत्ता में कई सालिसिटर टेलीफ़ोन काल रिसीव करने का 7 सात रुपये चार्ज करते हैं। बकील लोग अपनी फ़ीस की रसीद भी नहीं देते हैं। गवर्नमेंट को अलग अलग बकीलों की फ़ीस क्रिब्स कर

【सरदार स्वर्ण सिंह सोखी】

देनी चाहिए, ताकि लोगों को यह पता लगे कि कोई उनको चीट तो नहीं कर रहा है। यह देखा जाता है कि एक लाइयर कल 32 रुपये ले रहा था और आज वह 250 रुपये ले रहा है।

मैं मिनिस्टर साहब को बताना चाहता हूँ कि कम से कम बिहार में तो इन्साल्फ बिकता है और वहाँ की पब्लिक रोती है। हम वकील नहीं हैं, लेकिन हम मिनिस्टर साहब को पब्लिक की तकलीफ बता रहे हैं, क्योंकि हम पब्लिक के रिप्रेजेंटेटिव हैं। पब्लिक के लिए ये सब कानून बनाये जाते हैं, लेकिन पब्लिक को उनसे फायदा नहीं हो पाता है। हम को हक है आपको बताने का और आपका फर्ज है उसको देखने का। अमेंडमेंट जो मर्जी कीजिए पर डायरेक्शन तो दे सकते हैं कि ऐसा नहीं ऐसा करो। कुछ भलाई करो। तो मेहरबानी करके इन सब चीजों को देखिये और मैं तो कहूंगा, ब्रह्मानन्द रेड्डी साहब बैठे हुए हैं, इन को चाहिए कि बड़े बड़े वकीलों की तरफ ध्यान करें। उन के ऊपर कोई इनकम टैक्स की रेड नहीं, कुछ नहीं। क्या सारे वकील भगत हैं जो हम लोगों को सिखाते हैं कि ऐसा करो तो जीतोगे। लाइयर्स सिखाते हैं, कुछ तो मुवाक्किल को पढ़ाते हैं कि ऐसा बोलना है, झूठ बोलवाते हैं। इन सब बातों की तरफ आपका ध्यान जाना चाहिए। इन शब्दों के साथ मैं इसका समर्थन करता हूँ।

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Mr. Chairman, Sir, I am thankful to all the members who participated in this discussion yesterday and today without any distinction for those who have supported the different provisions of

the Bill and those who have criticised the Bill.

In introducing these amendments, as I said in my opening remarks, the main objective was to eliminate delays, to cut down cost of litigation and to help the indigent litigant. For achieving these three main objectives it has been found necessary to balance between the various conflicting opinions and points of view put forward.

You are aware, Sir, the Civil Procedure Code is almost 68 years old. In the course of these 68 years,—what is commonly known as—civil procedure code mentality has developed in this country—both among the lawyers and the litigants. The exhaustive and detailed provisions have assumed in certain quarters almost a status of some religious commands and it has been thought by some so sacrosanct that nothing of those can be changed and should be changed. But there is some other trend of opinion which says that civil procedure code was promulgated about 70 years ago under different circumstances and conditions. Time has passed. Conditions have changed. It has practically become a dead weight and should go, if not altogether, it should be substantially altered. While introducing the amendments both these aspects have been taken into consideration and what has been attempted now is to make a balanced presentation in a way that will help the main objectives that I have already mentioned.

You are aware, Sir, Section 80 which has been a subject of much criticism, there are different points of view. One point of view is that it must altogether be deleted from the code because in the democratic State it is inconceivable that a distinction is made between Government and ordinary litigant public. On the other hand, in spite of the various drawbacks which have been found in the course of the working of section 80, it has served certain purposes. Considerable litigation has been avoided. The service of notice under Section 80 has

often led to proper settlement of the disputes or claims before going to the court. Maybe some people are not satisfied with the quantum or number of such settlements that have taken place. What has been attempted is while the usefulness of this Section is being accepted, some of the harshness produced by the operation of that section is attempted to be removed.

Another thing which has been attempted is that in view of the state of uncertainty and confusion created due the large number of conflicting decisions given by various courts in the last 70 years, certain amendments are proposed to settle those conflicting decisions and to remove the confusion as far as possible. It is in this background that I would like you and the House to examine the various provisions which have been proposed to be introduced by way of this Bill.

I am fully aware that no human remedy can be found, no provisions of law could be made which are beyond the ingenuity of man to avoid or circumvent. By way of trial and error, as new methods of evasion of law and abuse of the process of law are found, the legislature goes on plugging the loopholes. That is how the history of legislation proceeds all over the world. So that while I admit the ingenuity of various eminent members, some of them very eminent lawyers, in putting forward plausible loopholes and insufficiencies, I assure the House that given time to allow the operation of the proposed amendments, as and when the apprehensions expressed by some of the hon. members come true, we will not have any hesitation in bringing forward appropriate changes in the law.

Shri Somnath Chatterjee spoke very ably with all earnestness as a lawyer who is practising in the highest courts of the land—I do not attribute any political motive or political colour to his speech, as one of the hon. members did—and I attach the greatest weight to his criticism. But if I may

say so, he strayed from the main object of the proceedings before this hon. House when he talked about the deficiency of the number of judges in the High Courts, the way of recruiting them and the deficiency of the planning which the Central Government is having today. While assuming, without admitting, that there are some substantial reasons and good reasons to support his arguments, I wish to say that the Civil Procedure Code is not the Code to remedy all the evils existing in the world.

SHRI SOMNATH CHATTERJEE:

You were good enough to express the hope that this will bring about such a change in the law of procedure that justice will now be easily available. I was saying that we cannot have that hope by merely changing the law.

DR. V. A. SEYID MUHAMMAD:

hon. members, was sec. 80. About if the hope is not fulfilled, if adoption of some of the suggestions which are made is found to be necessary, we will certainly adopt them.

The main culprit, according to many hon. Members, was sec. 80. About this section, I have already made my submission that in spite of some of the drawbacks which have been pointed out, it is thought necessary that there must be such a provision wherein the Government is given notice of 60 days so that the Government applies its mind to the problem and without the necessity of going to the court of law the matter can be settled. It may be, according to some members, that that has not been working successfully.

SHRI S. M. BANERJEE: The Government do not reply.

DR. V. A. SEYID MUHAMMAD:

That does not mean that the very existence of the provision is unjustified. I hope, taking the criticism which has been made in this House and elsewhere about the refusal of Government, the concerned authorities would act according to the spirit of sec. 80.

[Shri V. A. Seyid Muhammad]

Hereafter they will pay more attention to this provision and act according to the spirit and object of the section.

There was one criticism, not of a legal nature; and that was about adjournments. Shri Banerjee, Shri Somnath Chatterjee and Shri Shukla said that some of the eminent lawyers would not be available for the litigants and so this provision for not giving adjournments on the ground of the absence of the lawyer is a bad provision. Shri Banerjee cited the example of his own case. The name of the late Mr. Chatterjee with whom I had occasion to be close and whom I respect and other names were mentioned. But I must say that they are thinking of litigation only in the Supreme Court. A great volume of litigation in this country is not in the Supreme Court but in the lower courts. Occasionally persons like Chatterjee, Daphtary or Setalval may have gone to lower courts. Assuming that is so or for the reason that the service of eminent lawyer should be available, that is no reason for adjournment. Somebody was saying that a lawyer may be having a number of cases in different courts. That is the reason why adjournment should not be given. Simply because an eminent lawyer is not there when a case is called, should the whole judicial process stop until that lawyer is available to that court and so adjournment should be given?

SHRI SOMNATH CHATTERJEE: It is always left to the judges. In so many cases adjournment is refused on the ground a lawyer has to go elsewhere. Why make it mandatory on the judge?

DR. V. A. SEYID MUHAMMAD: I am really amazed at this sort of argument which has been put forward here, by some of the hon. Members of the Opposition. How many poor persons in this country can engage a big lawyer? It is only rich people who

can engage such big lawyers. I am surprised at people saying that such lawyers will not be available for the litigants and so adjournment should be given indiscriminately. When we talk of adjournments we are not thinking of those big lawyers whom rich men can engage. We are thinking of the large number of litigants and the large volume of litigation that is going on in the subordinate courts where adjournment after adjournment is given because one lawyer who has managed to corner the bulk of litigation wants to stop the entire process of judicial proceedings. We want to do away with precisely that practice. In my younger days when I started practice under a senior, I had to run around various mofussil courts seeking adjournments. For almost one and half years, I did nothing else: I had a car and from Calicut to Badagara and other places I used to go and take adjournments and the cases went on until the senior was available. So many criminal prosecutions, private complaints and various things, civil and criminal, all sorts of cases were there and the full time of the junior was engaged in procuring adjournments only. This is precisely the sort of thing we want to prevent.

One other thing which has been criticised strongly is the caveat provision and the provision regarding giving notice in the case of urgent matters. Mr Chatterjee's objection was that in urgent matters if notice is given, it will defeat the very object of the action which has been initiated. One example which was universally quoted was the pulling down of a house. In the first place, you make law for generalities, not for exceptional cases. But the remedy will be there even for exceptional cases. If it is so urgent, the notice given will be very short, not 20 days or something like that. The authority knows that litigation has been started and there is the possibility of the action being declared illegal. So, he will hesitate. Ultimately if in a million cases, one house is pulled down and ultimately if his cause of action can be sustained,

damages will be paid by the government through the nose. That is the only remedy left.

Many hon. members have tabled amendments. I will deal with them at the stage when the clauses are taken up. I once again thank the hon. members who participated in the discussion and I commend the Bill to the House for its acceptance.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Code of Civil Procedure, 1908 and the Limitation Act, 1963, as reported by the Joint Committee, be taken into consideration."

The motion was adopted

MR. CHAIRMAN: We take up clause by clause consideration

There are no amendments to clauses 2 to 12.

The question is:

"That clauses 2 to 12 stand part of the Bill"

The motion was adopted

Clauses 2 to 12 were added to the Bill.

Clause 13— (Amendment of section 34).

MR. CHAIRMAN: Mr. Shukla, are you moving your amendments?

SHRI B. R. SHUKLA: It depends on the response of the Minister. If he is not in a mood to accept them, I will withdraw them.

MR. CHAIRMAN: There is no question of withdrawing because you have not moved them at all.

The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 19 were added to the Bill.

Clause 20— (Amendment of section 47).

MR. CHAIRMAN: There is a Government amendment No. 1 in the name of Shri Gokhale. The same amendment is given as No. 35 in the name of Dr. Seyid Muhammad.

Amendment made:

Page 7.—for lines 13 and 14, substitute—

"Amendment of 20 In section 47 of the principal Act,—section 47.

(i) sub-section (2) shall be omitted;

(ii) for the Explanation, the following Explanations shall be substituted, namely:—". (35).

(Dr. V. A. Seyid Muhammad)

MR. CHAIRMAN: The question is:

"That clause 20, as amended, stand part of the Bill."

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Clauses 21 to 26 were added to the Bill.

Clause 27— (Amendment of section 80).

SHRI R. R. SHARMA: I beg to move:

Page 10, lines 15 to 19,—

omit " ; but the Court shall not grant relief in the suit, whether interim or otherwise, except after giving to the Government or public officer, as the case may be, a reasonable opportunity of showing cause in respect of the relief prayed for in the suit." (24)

SHRI B. R. SHUKLA (Bahraich):
I beg to move:

Page 10, line 12,—

after "Kashmir)" insert—

"a local authority or a Corporation owned or controlled by Government or local authority," (5)

Page 10,—

after line 23, insert—

"Provided further that the Court may pass an order of interim injunction or stay *ex parte* if it has reason to believe that substantial damage will be done to plaintiff and that such interim order must be reviewed within two weeks from the date of its passing." (6)

In section 80 a sort of concession is sought to be made on behalf of the Government that when an urgent and immediate relief is sought by the plaintiff, the institution of the suit may be allowed with the leave of the court, without complying with the provisions of a prior notice of two months. But, at the same time, a rider is added to this provision that no interim relief shall be granted in such a suit unless an opportunity has been given to the State or a public officer. My submission is that it is a self-defeating provision; because once the court grants leave and dispenses with the giving of two months prior notice on the ground that the matter involved is urgent and immediate, if it is conceded at the very outset that immediate or urgent relief is involved in the matter, then he should be given immediate and urgent relief by way of passing an order of interim injunction, or interim stay. Because, if this is not done and a date is given to hear the party, in the mean while the mischief that is sought to be curbed will be done. Therefore, the ultimate object in the majority of the cases will be frustrated. So my submission is, either you retain the old section and say that it will be very necessary to keep it in tact, or make the necessary modifications.

But to incorporate a provision like this is self-contradictory and self-defeating and will serve no useful purpose. It will amount to nothing short of a self-defeating exercise in legislation.

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 10,—

for clause 27 substitute—

"27. Section 80 of the principal Act shall be omitted." (17)

I am pressing this amendment because, I am sorry, the reply of the hon. Minister to the general discussion did not satisfy us.

When the Bill was introduced, it provided for the complete abolition of section 80 from the CPC. Not only that, the Law Commission in their 27th Report, as well as on the 14th Report, had very strongly recommended for the complete abolition of section 80. If I am quote a passage from the 27th Report of the Law Commission, it says:

"When section 80 was originally enacted, India was a dependency under foreign rule and the main function of the Government was the maintenance of law and order.

"India is now a free country and a Welfare State. It engages in trade and business like any other individual. A Welfare State should have no such privileges in the matter of litigation as against the citizens and should have no higher status than ordinary citizens in that respect. Experience has also shown that the provision of this section has caused great hardship, particularly in suits relating to injunction. For these reasons we have recommended the omission of the section. While recommending the omission of the section, the Fourteenth Report suggested the insertion of a provision in the Code to the effect that if a suit against

the Government or a public officer is filed without reasonable notice, the plaintiff will be deprived of his costs in the event of a settlement of the claim by the Government or the public officer before the date fixed for the settlement of the issue. We do not think that such a statutory provision is necessary."

I tried to summarise these views in an imperfect manner yesterday while I was speaking. It is put in much better form and manner here.

16 hrs.

What is the answer to this? Why do you want the Government to be placed in a special position so far as the ordinary litigant is concerned? So far as proceedings under article 226 are concerned, you have to face the litigant in a court of law without prior notice. So, although justice demands it, it is not a "must". In respect of cases under article 226 you can face the litigants, but in respect of suits for an injunction you want a special procedure.

Kindly see what amendment you have provided. You contemplate that there may be situations when urgent and immediate relief is necessary. I don't think you hold the view that any suit for an injunction against the Government is necessarily bad. I do not think any reasonable person can hold that view. Therefore, if you think that a suit for an injunction is called for and there may be genuine cases when a plaintiff wants an injunction from the court, why do you make it mandatorily impossible for the Judge to give an injunction even if he is satisfied? What is the fun of allowing a Judge to apply his mind and allow a suit to be filed without notice, if his hands are then tied?

Supposing I have to file a suit against the Union of India in the Calcutta or the Trivandrum High Court, and the Union of India is in

Delhi. What is the reasonable opportunity that the Judge will have to grant to the Government? He will send a letter by registered post to the Government of India at Delhi. And in the meantime, how is the urgency or the immediacy of the situation being tackled? Therefore, I do not think that either law or logic or reason can be brought forward to support this illogical amendment.

I can understand Mr. Shukla's attitude, namely that you reject the Law Commission's recommendation *in toto* but if you keep it, do not make a fuss of it by bringing an amendment like this which will not serve the purpose. I am speaking from experience, although experience is being decried and all sorts of things are being said against lawyers. I have never said that all lawyers are good, or that I am a good lawyer. But, after all, you have to look at the point of view not only of the lawyers, but of the litigants. After all, the administration of justice is for the litigants and not for the lawyers.

The Law Commission recommended the omission of this section in their 14th and 27th reports, and the very fact that the original Bill as presented to this House contained a provision for its total omission shows that the Government had accepted that recommendation. Then, why this change of view on the part of the Government? During the Joint Committee's proceedings it has been brought by way of an amendment, and this does not solve the problem at all. Therefore, unless you think that the Government is right in all cases and cannot be brought up before the courts without the formality of a formal notice, which nobody takes note of, this procedure is not going to work, and that is why I can tell you that people are taking recourse to article 226. You cannot help it. If he had got relief in a subordinate court, for a suit for injunction, he would not have gone to a higher court and there would not have been these arrears of cases under article 226. It is there

[Shri Somnath Chatterjee]

because otherwise no urgent relief is possible against Government. If there is no realisation, if you think that, on whatever you have done in this Bill, there cannot be re-thinking, that is a different thing. But I want to press this with the utmost humility and strength.

श्री राज रत्न शर्मा : सभापति महोदय, मैंने अपने संशोधन में सेक्शन 80 को पूरा समाप्त करने के लिए नहीं कहा है। मैं ने यह कहा है :

"...but the Court shall not grant relief in the suit, whether interim or otherwise, except after giving to the Government or public officer, as the case may be a reasonable opportunity of showing cause in respect of the relief prayed for in the suit."

इस को हटा दिया जाय। इस के दो कारण हैं। जैसा श्री सोमनाथ जी कह रहे थे। स. कामेशन की रिपोर्ट को मान कर आप ने यह अमेंडमेंट स्वीकार किया था और ओरिजिनल बिल जो इंट्रोड्यूस हुआ था उस में यह सेक्शन नहीं था लेकिन जब यह सेक्शन ड्राफ्ट हुआ तो आप ने इन में दो मेकगार्ड्स पहले ही रखे गवर्नमेंट के पक्ष में, वह हैं।

"A suit to obtain an urgent or immediate relief against the Government"

सब से पहले अब सूट फाइल होगा तो अर्जेंट ऐंड इम्प्रीवेंट रिलीफ प्रिक्वाइजिग आफिसर तब करेगा और फिर दूसरी बात इस में है कि बिना दि लीव आफ दि कोर्ट, अवर कोर्ट लीव नहीं दे तो सूट फाइल नहीं होगा। दो दो बातें आप ने रख ली हैं। कोर्ट को लीव मिल

गई और कोर्ट ने देखा कि अर्जेंट ऐंड इम्प्रीवेंट मैटर है तब सूट फाइल होगा। तब आप इस क्लॉज को क्यों रखना चाहते हैं कि फिर सरकार को नोटिस दिया जाय क्यों कि उस नोटिस को तो हटाने के लिये ही, लिटिगेशन काम करने के लिये, जल्दी रिलीफ देने के लिये ही तो इस सेक्शन को हटाने का आप का इरादा था।

इसी बात पर कल मैं ने एक उदाहरण दिया था, मैं उस को दोहराना चाहता हूँ। मान लीजिये नगर पालिका के अधिकारी हैं, छोटे छोटे आदमियों से उन की रजिस्ट्रार है, उन का छोटा सा मकान बना हुआ है, वे तुरन्त उस को गिरा देना चाहते हैं। मरे जनादार ने कर आ गये। वह दौड़ा कोर्ट में, अर्जेंट ऐंड इम्प्रीवेंट उः आ काज है। कोर्ट लीव भी दे रही है लेकिन उस को एक दो दिन का टाइम कम से कम देना पड़ेगा। आप ने कहा कि बहुत नाग नोटिस नहीं दिया जाय, एक दो दिन का नोटिस दिया जायगा। अगर एक दिन का भी नोटिस दिया जायगा तो भी ज़ाम को नगर पालिका अधिकारी उन का मकान गिरा देगे। कोई रिलीफ उन का नहीं मिलेगी। इस लिये इस को आप और सोचें, मनसे और ये तीन चार लाइनें जो हैं इन को आप मोडिफाई कर दें, यही मेरा कहना है।

DR V. A. SEYID MUHAMMAD:
In reply to the arguments to delete section 80 and the various amendments which have been brought forward, I will submit four reasons why the section is to be retained in the form in which it appears in the proposed Amendment.

The first criticism was, why should we make a difference in this socialist, democratic—various adjectives were used—country between the Government and an individual....

SHRI SOMNATH CHATTERJEE:

I was quoting from the Law Commission report.

DR. V. A. SEYID MUHAMMAD:

I did not mean any disrespect. I did not want to quote all the adjectives which were used. That is all.

The main difference arises by the very nature of the government machinery and the governmental structure. In a civil suit, a cause of action may arise in any part of India.

The private litigant has only to rush to his own house, open the almirah, get hold of the documents, consult a lawyer and file a suit. The matter here is a question of injunction. The proceedings may take place in Kanyakumari and the authorities may be in Delhi or in Assam. Then the machinery of the Government moves quite slow and not only the officers of the department but various other officers are connected with the matter. So the very structure of the Government is different from the individual in the matter of litigation.

Secondly, an injunction brought against a private party or an individual is quite different from an injunction brought against the Government or a public authority. Suppose an injunction is brought against an electricity undertaking or a water supply undertaking, is it a question of one man getting into the house or coming out of his house or cutting a bunch of bananas? The entire society will be paralysed. In this situation, definitely there is a justification to treat a government on an entirely different footing from an individual.

The second criticism was that on mere technicalities or on some word not being put in the notice, formerly the position was that the just claims of individuals are defeated. We have removed it and seen to it that as far as possible, such mere technicalities will not prevent or delay the procurement of justice for the private citizen.

The third criticism is replied to in my first submission about injunction and giving notice to the authorities. Precisely for the same reasons. I would submit that unlike an individual getting an injunction and stopping another individual from opening or closing a shop or cutting one bunch of bananas or two bunches of bananas, it is quite different with an electricity undertaking or a water supply organization being stopped from performing its activities. That is why it is proposed that prior notice should be given to the Government. I think that is a substantial reason for treating the Government in a different way and providing that even in the matter of injunctions government should be given prior notice. One can imagine that such notice will involve long delays, and nothing happening and the poor man getting no remedy. That is not what is contemplated. The courts are there and it is not before an administrative officer, and if the courts are convinced that it is an urgent matter, then the matter is expedited. The public officers also will realise the urgency and must react to the notices with the utmost responsibility. Mr. Somnath Chatterjee is well-versed in this matter and the whole Government and the governmental machinery should work in such a way that the powers are properly exercised and not abused. That is the only assumption on which laws can be passed and it is in that sense this provision has been made.

श्री विभूति मिश्र (मोतीदारी). मंत्री जी ने कहा कि डिमोक्रेटिक सोशलिज्म हो गया। मैं जानना चाहता हूँ सोशल कोर्टम से लेकर हाई कोर्ट तक जो मुन्सिफ हैं, सब जज, एडमिनिस्ट्रेशन जज, हाई कोर्ट के जज और हाई कोर्ट के चीफ जस्टिस; क्या इन सभी ने डिमोक्रेटिक सोशलिज्म प्रकटित कर लिया है? श्रद्धा जी ने कहा कि उनका अंदाज़ है कि उन्होंने डिमोक्रेटिक सोशलिज्म प्रकटित नहीं किया है।

[श्री विभूति मिश्र]

इसलिये आप कोई ऐ-ग प्राविजन रखें जिससे गरीबों के लिये गुंजायमान हो। निर्फ कहने से ही काम नहीं होगा कि डिमोक्रेटिक सोशलिज्म हो गया। क्या लोगों में इसको भावना भी पाई है या नहीं—इसका जवाब मंत्री जो से आप दिलाइये।

MR. CHAIRMAN: Has the Minister got to say anything?

DR. V. A. SEYID MUHAMMAD: No, Sir.

SHRI B. R. SHUKLA: Sir, in response to the wishes of the party, I do not press my amendments. I seek leave of the House to withdraw my amendments Nos. 5 and 6.

MR. CHAIRMAN: Is it the pleasure of the House that the amendments Nos. 5 and 6 moved by Shri Shukla may be withdrawn?

SOME HON MEMBERS: Yes.

Amendments Nos. 5 and 6 were, by leave, withdrawn.

MR. CHAIRMAN: Are you withdrawing, Mr. Chatterjee?

SHRI SOMNATH CHATTERJEE: I have no such constraints.

MR. CHAIRMAN: All right. I will put Shri Somnath Chatterjee's amendment, Amendment No. 17, to the vote of the House. The question is

Page 10,—

for clause 27 substitute—

"27: Section 80 of the principal Act shall be omitted." (17).

The Lok Sabha divided:

Division No. 2)

16.10 hrs.

AYES

Bhattacharyya, Shri S. P.

Chandrappan, Shri C. K.

Chatterjee, Shri Somnath

Halder, Shri Madhuryya

Halder, Shri Krishna Chandra

Joarder, Shri Dinesh

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Reddy, Shri B. N.

Roy, Dr. Saradish

Saha, Shri Ajit Kumar

Saha, Shri Gadsadhar

Sharma, Shri R. R.

Shastri, Shri Ramavatar

Vijay Pal Singh, Shri

NOES

Ahirwar, Shri Nathu Ram

Alagesan, Shri O. V.

Arvind Netam, Shri

Austin, Dr. Henry

Babunath Singh, Shri

Bajpai, Shri Vidya Dhar

Banamali Babu, Shri

Banerjee, Shrimati Mukul

Barman, Shri R. N.

Barupal, Shri Panna Lal

Basumatari, Shri D.

Besra, Shri S. C.

Bhargava, Shri Basheshwar Nath

Bhatia, Shri Raghunandan Lal

Bist, Shri Narendra Singh

Chakleshwar Singh, Shri

Chandrashekarappa Veerabasappa,
Shri T. V.

Chandrika Prasad, Shri
Chaudhary, Shri Nitiraj Singh
Chavan, Shrimati Premalabai
Chikkalingaiah, Shri K.
Daga, Shri M. C.
Damani, Shri S. R.
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Daschowdhury, Shri B. K.
Deo, Shri S. N. Singh
Deshmukh, Shri K. G.
Dhillon, Dr. G. S.
Doda, Shri Hiralal
Dube, Shri J. P.
Dwivedi, Shri Nageshwar
Ganga Devi, Shrimati
Gangadeb, Shri P.
Gill, Shri Mohinder Singh
Godara, Shri Mani Ram
Godfrey, Shrimati M.
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Hari Singh, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Kadam, Shri J. G.
Kadannappalli, Shri Ramachandran
Kailas, Dr.
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapoor, Shri Sat Pal
Karni Singh, Dr.
Kaul, Shrimati Sheila
Kinder Lal, Shri
Kotoki, Shri Liladhar
Kotrashetti, Shri A. K.

1218 LS-9.

Kureel, Shri B. N.
Lakkappa, Shri K.
Mahajan, Shri Vikram
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mallanna, Shri K.
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri Bibhuti
Mishra, Shri G. S.
Modi, Shri Shrikishan
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Nahata, Shri Amrit
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Painuli, Shri Paripoornanand
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Pandey, Shri Tarkeshwar
Pandit, Shri S. T.
Pant, Shri K. C.
Paokaj Haokip, Shri
Paswan, Shri Ram Bhagat
Patel, Shri Natwarlal
Patil, Shri C. A.
Patil, Shri E. V. Vikhe
Patil, Shri Krishnarao
Patil Shri S. B.
Patil, Shri T. A.
Patnaik, Shri J. B.
Peje, Shri S. L.
Pradhan, Shri K.
Raghu Ramaiah, Shri K.
Rai, Shri S. K.
Rai, Shrimati Sohodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri

Ram Dayal, Shri
 Ram Singh Bhat, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Rao, Shri Jagannath
 Rao, Shri K. Narayana
 Rao, Shri M. S. Sanjeevi
 Rao, Shri Nageswara
 Ray, Shrimati Maya
 Reddy, Shri K. Kodanda Rami
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Roy, Shri Bishwanath
 Sanghiana, Shri
 Satish Chandra, Shri
 Satpathy, Shri Devendra
 Savant, Shri Shankerrao
 Shailani, Shri Chandra
 Shankaranand, Shri B.
 Sharma, Shri Nawal Kishore
 Shastri, Shri Sheopujan
 Shivappa, Shri N
 Shivnath Singh, Shri
 Shukla, Shri B. R
 Shukla, Shri Vidya Charan
 Sinha, Shri Nawal Kishore
 Sohan Lal, Shri T.
 Sokhi, Sardar Swaran Singh
 Subramaniam, Shri C.
 Suryanarayana, Shri K
 Tayyab Hussain, Shri
 Tiwary, Shri D. N.
 Tula Ram, Shri
 Tulsiram, Shri V
 Ukey, Shri M. G.
 Unnikrishnan, Shri K P
 Vikal, Shri Ram Chandra
 Yadav, Shri Karan Singh

MR. CHAIRMAN: The result* of the division is:

Ayes: 15; Noes: 139.

The motion was negatived.

MR. CHAIRMAN: I shall now put amendment No. 24 moved by Shri R. R. Sharma to the vote of the House.

Amendment No. 24 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 27 stand part of the Bill".

The motion was adopted.

Clause 27 was added to the Bill.

MR. CHAIRMAN: There are no amendments to clause 28. I shall put it to the vote of the House.

The question is:

"That clause 28 stand part of the Bill".

The motion was adopted.

Clause 28 was added to the Bill.

Clause 29—(Amendment of section 86).

MR. CHAIRMAN: There are two amendments to this clause by Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE:
 I move—

Page 11,—

after line 6, insert—

'(aa) the following proviso shall be inserted, namely:—

* Shri Genda Singh also voted for NOES.

"Provided that the Central Government shall not withhold consent without assigning reasons therefor, in writing and without giving an opportunity of being heard to the person who applies for consent." (18)

Page 11, line 7,—

after 'in the proviso' insert—

"(i) after the word 'Provided' the word 'further' shall be inserted, and (ii)". (19)

Sir, this is a procedural matter dealing with the law of procedure. What happens if a suit against one State cannot be filed without the consent of the Central Government? I do not want that that provision should be deleted. That provision should be there for maintenance of internal diplomatic relationship. That should be kept. But, I have found in my experience that in many cases consent is withheld. And the party thereto remains only without that remedy. I know personally of a case where—I won't name the foreign country—the foreign country was in occupation of a property under the leasehold. They left the property and gave it to one of the marwaris in Calcutta. Now they are occupying it. To get rid of that, one has to file a suit for the termination of the lease.

Now, Government has to give permission for filing a suit for cancellation of the lease. No suit could be filed even for getting possession of the property and the owner had to come to a settlement with the person who had been in wrongful occupation. Because the Central Government did not give any permission and he had been in occupation of it. I only wanted to provide that in matters like that—as far as internal relations etc. are concerned—give an opportunity for hearing him so that he might be convinced that at least on a proper

representation made to you, he has been given the hearing and he cannot have the feeling that his case has not been considered. That is why I have moved the amendments.

DR. V. A. SEYID MUHAMMAD: Sir, as you know, the very necessity for such a provision is that in certain cases where foreign states are involved, it may not be possible for the Central Government to give reasons why the consent is given or not given. To make it compulsory that in every case that reason should be given defeats the very purpose of the provision.

MR. CHAIRMAN: Now, I shall put amendment Nos. 18 and 19 moved by Shri Chatterjee to the vote.

Amendment Nos. 18 and 19 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 29 stand part of the Bill".

The motion was adopted.

Clause 29 was added to the Bill.

MR. CHAIRMAN: On clause 30, there is one amendment by Shri Shukla. Are you moving?

SHRI B. R. SHUKLA: No, Sir.

MR. CHAIRMAN: I shall put clause 30 to the vote of the House.

The question is:

"That clause 30 stand part of the Bill."

The motion was adopted.

Clause 30 was added to the Bill.

Clauses 31 to 36 were added to the Bill.

Clause 37.—Substitution of new section for section 100)

MR. CHAIRMAN: There are two amendments—Nos. 14 and 15—by Shri R. R. Sharma. Are you moving?

SHRI R. R. SHARMA: I move:

Page 14, lines 13 and 14, —

for "if the High Court is satisfied that the case involves a substantial question of law"

substitute—

"on any question of law and facts". (14)

Page 14, —

omit lines 20 to 29. (15)

SHRI SOMNATH CHATTERJEE:
beg to move:

Page 14, —

for Clause 37, substitute —

'37. In section 100 of the principal Act, in sub-section(1), after Clause (c), the following clause shall be inserted, namely:—

(d) the case involves a substantial question of law."'
(20)

श्री राम रतन शर्मा : श्रीमान्-इस अमेन्डमेंट के द्वारा मैं ने यह कहना चाहता हूँ कि अगर फाईडिंग आफ फैक्ट कानकॉर्ट नहीं हुई, लॉअर कोर्ट और फस्ट अपीलेंट कोर्ट की फैक्ट पर फाईडिंग कानकॉर्ट नहीं हुई, तो उस को फैक्ट के ऊपर हाई कोर्ट में नैकॉड अपील में जाने की अनुमति होनी चाहिये। और अगर ऐसा नहीं होगा तो इनजस्टिस होगा क्योंकि फैक्ट पर फिर सुनने को नहीं मिलेगा। वह जा का क्लेक्शन फारसुलेट करेंगे और उस पर अपील करेंगे। मैंने कब भी कहा था, मैं मंत्री महोदय से जानना चाहता हूँ कि उन्होंने इस बारे में कुछ सोचा है कि नहीं।

MR. CHAIRMAN: There is no reply by the Minister. I will now put amendments Nos. 14 and 15 to the vote of the House,

Amendments Nos. 14 and 15 were put and negatived.

MR. CHAIRMAN: I will now put amendment No. 20 moved by Shri Somnath Chatterjee to the vote of the House,

Amendment No. 20 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 37 stand part of the Bill."

The motion was adopted.

Clause 37 was added to the Bill.

Clause 38—(Insertion of new section 100/A)

SHRI SOMNATH CHATTERJEE:
beg to move:

"Page 15, line 7,—

add at the end —

"unless the case involves some substantial question of law" (25)

MR. CHAIRMAN: I will now put amendment No. 25 moved by Shri Somnath Chatterjee to the vote of the House.

Amendment No. 25 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 38 stand part of the Bill."

The motion was adopted.

Clause 38 was added to the Bill.

Clauses 39 to 42 were added to the Bill.

Clause 43—(Amendment of Section 15)

SHRI R. R. SHARMA. I beg to move:

Page 15,—

for Clause 43, substitute—

'43 For section 115 of the principal Act, the following section shall be substituted, namely -

"115 The High Court and the court of the District Judge may call for the records of any case which has been decided by any court subordinate to such High Court or District Judge and in which no appeal lies thereto, and if such subordinate court appears—

(a) to have exercised a jurisdiction not vested in it by law, or

(b) to have failed to exercise a jurisdiction so vested, or

(c) to have acted in the exercise of its jurisdiction illegally or with material irregularity,

the High Court or the District Judge may make such order in the case as it thinks fit" (16)

MR. CHAIRMAN. I will now put amendment No. 16 moved by Shri R. R. Sharma to the vote of the House

Amendment No. 16 was put and negatived.

MR. CHAIRMAN. The question is

"That clause 43 stand part of the Bill"

The motion was adopted.

Clause 43 was added to the Bill

Clauses 44 to 46 were added to the Bill.

Clause 47—(Amendment of section 141).

SHRI SOMNATH CHATTERJEE: I beg to move:

"Page 17, lines 7 and 8,—

omit " but does not include any proceeding under article 226 of the Constitution." (26)

MR CHAIRMAN. I will now put amendment No 26 moved by Shri Somnath Chatterjee to the vote of the House

Amendment No. 26 was put and negatived.

MR. CHAIRMAN. The question is:

"That clause 47 stand part of the Bill"

The motion was adopted.

Clause 47 was added to the Bill.

Clause 48—(Amendment of section 144)

SHRI R R SHARMA I beg to move:

"Page 17, line 14,—

after "instituted" insert—

"or review application made" (27)

MR. CHAIRMAN. I will now put amendment No 27 moved by Shri R. R. Sharma to the vote of the House.

Amendment No. 27 was put and negatived.

MR. CHAIRMAN. The question is:

"That clause 48 stand part of the Bill"

The motion was adopted.

Clause 48 was added to the Bill.

Clause 49 was added to the Bill.

Clause 50—(Insertion of new section 148A)

SHRI SOMNATH CHATTERJEE: I move:

[Shri Somnath Chatterjee]

Page 12,—

after line 36, insert—

"(6) Nothing in this section shall prevent the court from making any order on such application, even before service of a notice on the caveator, if the court so decides for reasons to be recorded in the order." (28).

MR. CHAIRMAN: I shall now put this amendment to vote.

Amendment No. 28 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 50 stand part of the Bill".

The motion was adopted.

Clause 50 was added to the Bill

Clauses 51 to 54 were added to the Bill.

MR. CHAIRMAN Clause 55. Amendment No. 10 by Shri B. R. Shukla—he is absent. The question is:

"That clause 55 stand part of the Bill".

The motion was adopted.

Clause 55 was added to the Bill.

Clauses 56 to 59 were added to the Bill.

MR. CHAIRMAN: Clause 60. Amendment No. 11 by Shri M. C. Daga—not moved. The question is:

"That clause 60 stand part of the Bill."

The motion was adopted.

Clause 60 was added to the Bill.

Clauses 61 to 65 were added to the Bill.

Clause 66—(Amendment of order XVII)

SHRI SOMNATH CHATTERJEE: I move:

Page 39,—

after line 28, insert—

"(f) Nothing hereinbefore contained shall prevent the court from granting an adjournment for ends of justice." (29).

MR. CHAIRMAN: I shall now put this amendment to vote.

Amendment No. 29 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 68 stand part of the Bill".

The motion was adopted

Clause 68 was added to the Bill

MR. CHAIRMAN: Clause 69. Amendment No. 12 by Shri B. R. Shukla—not moved. The question is:

"That clause 69 stand part of the Bill"

The motion was adopted.

Clause 69 was added to the Bill

Clauses 70 to 80 were added to the Bill.

Clause 81—(Amendment of Order XXXIII)

Amendment made:

Page 71,—

after line 45, insert—

"Power of Government to provide for free legal services to indigent persons.

18. (1) Subject to the provisions of this Order, the Central or State Government may make such supplementary provisions as it thinks fit for providing free legal services to those who have been permitted to sue as indigent persons.

(2) The High Court may, with the previous approval of the State Government, make rules for carrying out the supplementary provisions made by the Central or State Government for providing free legal services to indigent persons referred to in sub-rule (1), and such rules may include the nature and extent of such legal services, the conditions under which they may be made available, the matters in respect of which, and the agencies through which such services may be rendered." (31)

(Dr. V. A. Seyid Muhammad)

MR. CHAIRMAN: Amendment No. 13 is barred. The question is:

"That clause 81, as amended, stand part of the Bill."

The motion was adopted.

Clause 81, as amended, was added to the Bill.

Clauses 82 to 85 were added to the Bill.

MR. CHAIRMAN: Clause 86. Amendment No. 30 by Shri R. R. Sharma—not moved. The question is:

"That clause 86 stand part of the Bill."

The motion was adopted.

Clause 86 was added to the Bill.

Clauses 87 to 96 were added to the Bill.

Clause 97 (Repeal and Savings)

Amendment made:—

Page 91,—

after line 27, insert,—

"(3) Save as otherwise provided in sub-section (2) the provisions of the principal Act, as amended by this Act, shall apply to every suit, proceeding, appeal or application, pending at the commencement of this Act or instituted or filed after such commencement, notwithstanding the fact that the right, or cause or action, in

pursuance of which such suit, proceeding, appeal or application is instituted or filed, had been acquired or had accrued before such commencement." (32).

(Dr. V. A. Seyid Muhammad)

MR. CHAIRMAN: The question is:

"That clause 97, as amended, stand part of the Bill."

The motion was adopted.

Clause 97, as amended, was added to the Bill.

Clause 98—(Amendment of Schedule of Act 36 of 1963)

Amendments made:

Page 91, line 30,—

for "98" substitute "98(1)", (33).

Page 91,—

after line 32, insert—

"(2) Where the period specified in article 127 of the Schedule to the Limitation Act, 1963; (36 of 1963) had expired on or before the commencement of this Act, nothing contained in sub-section (1) shall be construed as enabling such application as is referred to in the said article, to be filed after the commencement of this Act by reason only of the fact that a longer period therefor is specified in the Act aforesaid by reason of the provisions of sub-section (1)." (34)

(Dr. V. A. Seyid Muhammad)

MR. CHAIRMAN. The question is:

"That clause 98 as amended, stand part of the Bill."

The motion was adopted.

Clause 98, as amended, was added to the Bill.

MR. CHAIRMAN. The question is:

"That clause 1, Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, Enacting Formula and the Title were added to the Bill.

DR V. A. SEYID MUHAMMAD: I move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN. Motion moved:

"That the Bill, as amended, be passed."

श्री रामाबहार झास्त्री (पटना) : सभापति महोदय, यह कानून तो घब पास हो रहा है। मेरा एक निवेदन यह है सरकार से कि जो कानून आप पास करें उस को ईमानदारी के साथ धीरे-धुस्ती के साथ लागू करें। इस तरह से अगर हम इस को लागू करेंगे तो जो मसा है इस कानून का वह हरा हो सकेगा। हम सोच बहुत से कानून बनाते हैं पार्लियामेंट में लेकिन जबड़ा में जाते हैं तो देखते हैं उस की ज़िम्मेदार होती है दुर्लभ होती है। तो मेहरबानी करके हम से इस कानून को बचा लीजिये।

दूसरी बात—हम सोच जबड़ा में जाते हैं और देखते हैं कि जिन पर विविध प्रोमीशर कोड के मातहत मुकदमे चलने हैं सम्पत्ति वरीय कोलेकर से बेचने बर्षों बरसा दबा कर कचहरियों की छाक छानते रहने हैं और बकील बजे में माल मारते रहते हैं। यह व्यवस्था आप इस में कर रहे हैं कि उस पर रोक लगाई जाये। सभापति जी अगर यहाँ कोई बकील हैं तो वह माफ करेंगे, मैं सब बकीलों के लिये यही कह रहा हूँ।

आप ऐसी व्यवस्था कर रहे हैं तो क्या यही कहना है कि यह बात जाने न पाये, यानी बरसी बरसी उन के मुकदमों के फैसले हों ताकि इस में वरीय जो सब से ज्यादा पीसे जाते हैं उन की रक्षा हो। पटना के एक मोहल्ले वीर मोहानी में कुछ वरीय लीब डूकान किये हुये हैं। घब वो नवे अफसर वहा आये हैं एक पुलिस डिपार्टमेंट के और एक एलेक्ट्रिसिटी डिपार्टमेंट के, वे कहते हैं कि यह संपत्ति हमारी है, तुम वहा से निकलो और तरह तरह के मुकदमे में उन की फंसाकर तंग कर रहे हैं। डकैती का मुकदमा उन के ऊपर कर दिया। पटना में उन की छोटी सी दुकान है और बेवूसराय में उन के ऊपर मुकदमा किया कि वहाँ डकैती की। इस तरह की कार्यवाहियां जब सरकारी अधिकारी करें जो कानून व्यवस्था की रक्षा करने वाले हैं, जो रजक है वहीं भ्रष्टाचन आये तो कानून कैसे चलेगा? मैंने जब इसका विरोध किया कि यह गलत है, यह बंद मजबूत जमीन है, सरकारी जमीन है, कैसे इन को भगा रहे हैं और मुकदमा चला रहे हैं तो मेरे ऊपर मानहानि का मुकदमा चला गया। यह स्थिति है। अभी तक मेरे पास समन नहीं आया है लेकिन सुना है कि इस तरह की चीज वहाँ हुई हैं। तो इस तरह की बात न हो। वरीयों की रक्षा की जाय। पीसे वाले और निहित स्वार्थ वाले वरीयों को तंग न करे, यह जवाब देही आप की है। घब तो आप समाजवाद की बात सविधान में जोड़ने वाले हैं। तब तो धीरे धीरे की जिम्मेदारी है कि जिस के लिये समाजवाद है उस वरीय को रक्षा करें। यह विधिक प्राचीन कोड की बहुत हो रही है। कानून बड़ी है। क्रिमिनल प्रोसीचर कोड में क्या हुआ है? मैं तो बेल मसा रहता हूँ और

केवल यह कि क्या होता है? संकटों में जो बिना मुकदमा बनाये हुए सात सात साल से, नौ नौ साल से जेल में पड़े हुए हैं और उन को अब सजा होती है तो एक हुकूमती की। यह क्या सजा है इस कानून का? हम तरह का सजा नहीं होना चाहिये। यह हमारा सार्वभौमिक सत्ता प्राप्त जो सदन है इस के बनाये हुए कानून की खिला न उड़े, मेरा इतना ही निवेदन है। मेरा विश्वास है कि सरकार इस कानून को सख्ती से लागू करेगी और इस में जो प्रावधान किये गये हैं उन का पालन होगा।

गरीबों की मदद करने के लिये तरह तरह को स्कीमें बनाने की बात धाय बोलते हैं, वे केवल किताबों में न रहें अवल में भी धायें। इसको भी बीस सूत्री कार्यक्रम की तरह "माला अपो, कुछ करो नहीं" ऐसा न हो बल्कि कुछ करो, ऐसा होना चाहिये। इन सबों के साथ मैं अपना निवेदन समाप्त करता हूँ।

MR. CHAIRMAN: Does the Minister want to say anything in reply?

DR. V. A. SEYID MUHAMMAD:
No, Sir

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

16.41 hrs.

STATUTORY RESOLUTION RE: DIS-
APPROVAL OF MAINTENANCE OF
INTERNAL SECURITY (AMEND-
MENT) ORDINANCE AND MAIN-
TENANCE OF INTERNAL SECURITY
(SECOND AMENDMENT) BILL.

SHRI SOMNATH CHATTERJEE
(Burdwan): Sir, I beg to move:

"This House disapproves of the
Maintenance of Internal Security

(Amendment) Ordinance, 1976
(Ordinance No. 5 of 1976) promul-
gated by the President on the 16th
June, 1976."

Since the proclamation of emergency on 25th June 1975 the second emergency a parallel proclamation of emergency—in every session of this House, a Bill is brought to replace an ordinance issued during the inter-session period for further amendments to MISA, making it more draconian, oppressive and uncivilised. Today MISA has become the all-pervading law in this country, although protestations are made to the contrary. I would like to know from the Government whether like poverty MISA has become our permanent fate, that the citizens of this country ought to realise that it has come to stay with them to be used by the authorities against people in all walks of life. We have known of a different law for the blackmarketers, foreign exchange racketeers, hoarders, etc. although I am against preventive detention on principle, that is a separate law. But so far as MISA is concerned, it is really meant for application, and it is being applied today, quite liberally still even after the expiry of more than a year after the proclamation of emergency, against political opponents, trade unionists, workers, peasants, students, etc. Members of Parliament have not been immune from it.

I am sure no genuine believer of civil liberties can be happy with a law like preventive detention law. When it was incorporated in our Constitution, which is the organic law of the country, the founding fathers were at pains at least to make it clear that the preventive detention law should be made in cases of extreme urgency when the very fabric of the country will be at stake. That hope was belied and from 1950 onwards we have had a preventive detention law. But at least on appearance, these were temporary laws, extended from time to time, until they lapsed in 1969 for reasons which are known to the people

[Shri Somnath Chatterjee]

of the country because that could not have been passed through this House. But in 1971, when this government came to power, with all sorts of promises to the people like removing poverty etc., one of the first measures brought by this government was to enact a permanent statute which was so long not there. Then it was in the shape of the Maintenance of Internal Security Act that is MISA, which, as I once said earlier in this House, has become the most hated word in this country. It has now become the normal weapon in the hands of the executive, in the hands of the administration of the country, to be utilized to bring about the so-called discipline among the people of the country in every walk of life, to instil a fear in the minds of the citizens of the country. This is the real object, and you have by and large succeeded in doing that. Today people outside are afraid to talk, afraid to write anything, afraid even to whisper anything. They are not allowed even to hold meetings etc. This is the fear psychosis which has been created in this country by the application of a law like this. The way this law is becoming more and more rigorous. I would like to know from this Government whether the principles of civil liberty have become an anathema for them. Do they or do they not believe in civil liberty? I am asking this question, because they have made this a permanent statute.

I know the object of this Bill is to extend the period of detention of certain classes of MISA detenus. But you will appreciate that the net of this Bill is being extended wider and wider. When MISA was enacted in 1971, it followed by and large the pattern no doubt of the previous Preventive Detention Act with little more rigorous provision. But at least one thing the people were able to do. They could go to a court of law, though on a very limited ground. They could file a habeas corpus petition. It is not as if in each and every case the habeas

corpus petition was successful. I gave statistics, on the basis of Government reports, to show that only in 15 per cent of the cases the applications succeeded. This could be done only on the limited ground, namely, that the reason of ground given for detention had no relationship with the objects of the Act, what you call in legal parlance 'reasonable nexus' with the objects of the statute. That is to say, if you want to detain somebody for public order, you cannot do it for some other reason, in the garb of public order. The scope was very limited, because the courts cannot go into the merits of the case, the courts could not go into whether the allegations made in the statement were correct or not. So, it was a very limited relief.

When this new emergency came, the entire situation changed. When the old emergency was in force, when we were fighting a foreign aggressor and the country was behind you, do not forget it that we had unanimously supported you. When the earlier emergency was promulgated at the time when the country was threatened by foreign aggression, the then hon. Speaker, who is now a Minister of the Government, said "I am proud to be the Speaker of this House, which has shown so much unanimity in the hour of crisis."

But what is the position under the new emergency? We all know the real purport and real intent of this and how it is being utilized. The first serious change that you have brought about is by making a provision in the MISA that if you say that the detention is necessary for the purpose of emergency, you do not have to give him the grounds, that is to say, he would not know why he is arrested, whether it is for public order, or for acting against the country's interests, or for interfering with the supplies and services essential to the community, or for being in league with a foreign power. Not only would he not know the grounds of detention, but he would not be given an opportunity to make any

representation against it to anybody. His case would not go to the Advisory Board. I would request the hon. Minister to tell us in all sincerity in how many cases the Advisory Board released the detenus. Not more than five per cent of the cases. Therefore, even for five per cent of the cases you would not allow them to go to the Advisory Boards, you would not give them an opportunity for representation, you will not tell them the grounds. There will be no opportunity for the person concerned to say that he has not done this thing, because he does not know what he is supposed to have done.

This was the law you made and when the matter came up before the House on 22nd January, 1976, I believe, Mr. Brahmananda Reddy piloting the Bill said "Well, why are you worrying so much? This special provision of section 16A relating to emergency detention is only for 12 months."

Then I moved a Private Member's Bill for amending the Defence of India Act, because, what is the fate of a person detained even before the amendment of the Defence of India Act? He shall remain in detention until the emergency is over. When the emergency will be over nobody knows. Do you give any inkling of that to us, to the people of the country, that the emergency will come to an end on such and such date? Therefore, a detenu who is in jail, to whom even the grounds have been given and whose case has been rejected by the Advisory Board, will remain in preventive detention without trial, without any opportunity of showing cause that he is not guilty. He shall remain in detention until the emergency declared in 1971 is over.

That was amended further to make it until the new emergency of 1975 comes to an end. This is what we call life sentence. Even a condemned prisoner knows how long he will be in jail but a MISA detenu does not know how long he will be in jail.

So far as the 16A detenus are concerned—if I may use that expression because that is a special type of detention which has been formulated, and the fertility of the brain in this respect is unimaginable on the side of the Government—this emergency detention was contemplated and the House was solemnly told that the maximum period was only 12 months.

Then Mr. Mohsin gave a reply to the debate on my Bill. He said that section 16A, was only for 12 months. I was trying to controvert him only on 8th April, 1976, solemnly on behalf of the Government it was stated that the emergency detentions were only for 12 months, and therefore there was no reason to put a ceiling of 12 months as I was proposing to do through my Bill.

As soon as the 12 months have elapsed, they issue an ordinance. The usual mode of ordinance is there. You have got the power to issue a proclamation of emergency, and nobody can challenge it. The doors of the courts are closed by reason of an amendment of the Constitution. If you continue the emergency, I cannot compel you to withdraw it. If you keep me in jail, I cannot go anywhere. A Presidential proclamation has been made for emergency, and a Presidential Notification has been made under article 359 (1) which means, as you know, that during the proclamation of the emergency Government can issue a notification under article 359 saying that no citizen of India will be entitled to exercise his fundamental rights or the fundamental rights which are mentioned in the notification. Government in its own wisdom have said that the fundamental rights under articles 14, 19, 21 and 22 cannot be exercised but the right to property under article 31 can be exercised. That means, the right to equality cannot be exercised. I cannot exercise the seven fundamental freedoms given in article 19. I cannot say that you shall not keep me in jail without the authority of law, without a pro-

[Shri Somnath Chatterjee]

per trial. I cannot request the Government to produce me before a magistrate within 24 hours. All these laws and all these provisions of the Constitution have been kept in cold storage till such time as they decide to withdraw this Notification. Therefore, the citizen has no remedy.

Seven different High Courts in India said, "We want to go into the merits, we want to see whether there was really any worthwhile ground for detention; if there is any, we shall keep them detained; otherwise, we shall consider."

As soon as Mr. Kuldeep Nayar was released by the judgment of the Delhi High Court, overnight, another law came, section 16A(9) came, namely, any material for detention will be deemed to be in public interest and, therefore, cannot be disclosed.

The Supreme Court has said in a recent judgment delivered on 28th April, 1976—which I call the darkest day in the history of Indian judiciary and for the citizens of this country. It is a majority view; it says:

"In view of the Presidential Order dated 27th June, 1975, no person has any locus standi to move any writ petition under article 226 before a High Court for *habeas corpus* or any other writ or order or direction to challenge the legality of an order of detention on the ground that the order is not under or in compliance with the Act. "

Even if I am able to show that such a detention is not contemplated under the Act, I have no right to go to the court.

... or is illegal

Even if I am able to show that it is an illegal order of detention, I cannot challenge it.

... or is vitiated by mala fide

Even if I am able to show that an order has been made mala fide, the High Courts will not grant me leave.

... or is vitiated by mala fide, actual or legal.

What we call malice in fact and malice in law.

"... or is based on extraneous considerations."

This is the law of the land under article 141 of the Constitution. It is the darkest day in the history of the Indian judiciary. I say this with all respect to the learned judges. This has been the end of any vestige of civil liberty in this country. When you have the Presidential Notification and the declaration of emergency, there is no remedy.

I was trying to find out from this Government whether they have any faith or belief in civil liberties or not. Can you not govern this country by the ordinary laws of the land? You are talking of the gains of Emergency. For industrial production, you are using the MISA; against somebody not paying the bus fare, you are using the MISA; against dishonest traders, you are using the MISA; against an ordinary peasant, against a trade union worker, you are using the MISA. Is it not being used indiscriminately? How many illustrations do you want?

17 hrs.

What about the government employees? The trade union employees, the association leaders, have been picked and chosen for the purpose of detention and dismissal. The *modus operandi* is very simple. First, they are detained under MISA, under 16A; no grounds need be given. As soon as they are detained under the MISA, they have to be kept under suspension under the Service Rules; which-

ever government employee is taken in custody and remains in custody for 48 hours, he has to be suspended immediately. So, he is suspended immediately, followed by an order under article 311(2)(c) of the Constitution which says that the President or the Governor can dismiss a government employee without holding any inquiry if he is satisfied that, in the interest of the security of the State, it is not expedient to hold an inquiry. Therefore, the process is complete for dismissing a government employee. He would have to be given ordinarily an opportunity to show cause. Detention followed by no chance of release, followed by suspension and followed by removal—In every walk of life this is happening and when we go to the courts, they say, 'This is not justiciable. This is the position with regard to the MISA. Hon. Minister, I know, said many times, 'Well, there may be an abuse. Bring it to our notice. We shall look into it.' But who will look into it? Those very persons who have issued these illegal orders, those very persons who are supposed to have reviewed them, those very persons who want them to be in jail and those very persons who have to review the orders! A wonderful mechanism you have developed! Therefore, although this Bill is only for extending the period of 12 months to 24 months, with regard to 16A detentions or emergency detentions, although I cannot say that an assurance was given here, an impression was given to the House, 'Please pass and support this measure because it is only for 12 months.' Now from 12 months to 24 months and when will it be 36 months or 48 months? Nobody knows. Now this emergency and you are saying that it has fulfilled its purpose. Although it might have been for internal disturbances, it has gone to everything, the industrial production, agricultural production, family planning and what not. Now, even Family Planning authorities might be under MISA. Probab-

ly some of them are. I find some government employees have been detained under the MISA. I am not speaking for government employees as such that they should not be detained under the MISA. The question is this. All these detentions are under Section 16A, namely, nobody is given the grounds or told the reasons for his detention. Therefore, from a Sub-Inspector, Inspector onwards, may be downwards even because I have heard of cases of Sub-Inspectors going about with signed detention orders with names not yet filled in. I have said that earlier in the House. So, it is from a constable onwards to the Home Minister. I do not know how many detention orders the Home Minister scrutinises and passes himself. Assuming that he does and also I believe that Mr. Brahmananda Reddy personally may be having an open mind and tries to do things as dispassionately as possible, is he passing all the detention orders throughout the country himself?

17.03 hrs.

[SHRI BHAGWAT JHA AZAD in the Chair.]

You have given such widest powers to these Inspectors, to these Sub-Inspectors, to these SDPOs, SPs and what not.

Therefore, today, the civil liberties of this country have become a matter of—I do not know what to say—just charity and patronage by the Government. It is not my fundamental right and natural right that I would not be deprived of my liberty without the due process of law for which this country fought for and attained independence. This is the position in this country.

Therefore, our objection is fundamental. You treat it so lightly. Let us know once for all. At least please say what are the requirements you

[Shri Somnath Chatterjee]

want to be fulfilled before you go on taking recourse to this law. Is 16A also going to be an ordinary law of this country? One of the very eminent criminal lawyers of this country, Mr. Ajit Dutta—Mr. Das Munsi knows him—once said that the use of MISA and giving the MISA powers to the Police authorities has meant that they have forgotten to carry out the ordinary normal criminal investigation work because even in murder cases, instead of proceeding and making an investigation and trying to frame charges against the accused, they are putting him under the MISA. No investigation is necessary. No report has to be submitted. They get rid of the most important part of the Police work, namely, investigation and apprehension of the accused and proving the charges against him before a court of law. The Police does not have to do that. Only they have to just get them and put them behind the bar. Those who can pay get released or get not apprehended. In other cases, those who cannot manage and those against whom political decisions are there, are put inside. That is the point. For every reason MISA is being applied. Today we do not know anything because such questions are not admitted. We don't know how many MISA detenus are there. Do not think that I am attributing any personal motive to anybody. If I feel that Mr. Brahmananda Reddy is looking into the matter or Mr. Mohsin or the Prime Minister or even our Chief Minister is personally looking into the matter, I am prepared to accept it, of course, with certain reservations, because, there are political reasons and political pressures which are operating. But even then, speaking for myself, I am prepared to say, yes, Mr. Siddhartha Shankar Ray or Mr. Brahmananda Reddy will not do things just out of spite. But to whom are you giving these powers? Will they use these powers properly? A person may not have a legal right to

get into a train if he has not got the money. He is a poor man and he does not have the money to buy the ticket. He is detained under MISA. A bus passenger is detained under the MISA. It is happening to anybody and everybody. My only request to the hon. Minister is this: Please tell us what are the standards of behaviour which you want before you stop taking recourse to MISA. You say everything is normal. You say that you have achieved substantial gains,—unthought of, undreamt of gains,—under this emergency. You say, the country is peaceful. You say there is no agitation. You don't allow other parties to hold meetings. You say everything is good. You say that agricultural and industrial production has increased and that the mandays lost is almost nil. What sort of good behaviour you want to get, before you stop using these laws and the detenus are released? MPs and others are there in jail for more than 12 months and they continue to be in jail. Do you want to say that while they are in jail they have continued with such activities or they are to continue there unless they surrender in writing? Does it depend upon your subjective feeling? These are the things which agitate our minds.

Therefore, I submit, the emergency has done you good. But whether it has done the country any good, it is for the future historians to judge and to write. People continue to rot in jail without trial and even the minimum jurisprudential system available in any civilised system of Government is not available here. Why should a citizen be deprived of his liberty? Even if the prosecution does not have to discharge the onus of proof at least the accused should get an opportunity of proving that he is innocent. That opportunity is not there. Regarding the application of this law against political parties, we know this very well.

So far as Presidential notification under Art. 359(1) is concerned it is

not being withdrawn. Even if you keep people under detention under MISA why don't you allow the accused to go to court? Courts are not enamoured of citizens' rights these days. I said this while speaking on the Judges Remuneration Bill. Some of the Judges have a feeling that some people can do no wrong. I say this on the floor of the House with all sense of responsibility.

Sir, therefore, the position is this. Why are you afraid of the courts? Is it because the Courts are given complete—blanket power? No. Fortunately, there are always some honourable exceptions and even in the all-pervading gloom, some judges are still able to rise to that occasion. I do not say that. I have always many times said that I do not subscribe to the view that whatever Government does is wrong. I do not subscribe to that view. The Government may do wrong in one case out of ten. Then what about that one person? He will have no remedy and he will have to go or write to Shri Reddy who will send it to the Inspector and the Inspector will send a report and from that channel it will go to higher-up. And, Mr. Reddy, will write back and say that the case has been reviewed and his detention is justified.

The whole thing has become a mockery. Therefore, so long as 350 (1) is there, *habeas corpus* petition is out of one's reach. There is still a provision for the arrest. If a person under MISA detention is released and, if according to government, he is misusing his freedom, then immediately, on the same ground, without disclosing it, he can be re-arrested. What happens? After 12 months period expires, what is the position? I know that Mr. Nurul Huda has written to me by sending a copy of the order. He is in Assam Jail—Nowgong Jail—he had been detained there and by issuing another order, he was brought out of the jail and that formal

ceremony is gone through but after he is brought to the jail gate, by another order, he is taken back. In that case, the grounds are given.

I appeared before the Assam High court on his application. Please believe me that the hon. Chief Justice sitting in a Division Bench, asked the Advocate General of Assam how he supported this illegal detention. The Advocate General said 'My Lord, his application is not maintainable'.

Because of the Supreme Court's decision, although his detention is otherwise illegal, the Chief Justice has confirmed that he cannot give any order because the *habeas corpus* petitions are not maintainable even if the detention is illegal. This is the case. You do not play with the people's rights. You may say that their number is very minima—we do not know please tell us in how many cases, you have applied Section 16A of MISA? We do not know it.

We would like to know in how many cases you have reviewed and on review you have released them. Then only I can know that Government is so keen about it; they are really objectively applying the law and not subjectively and on review, if it is proved that since there is no case for further detention, so and so has been released. Tell us and tell the people of the country about this. You do not take the people of the country into confidence and you do not even take Parliament into confidence. Those who do not subscribe to particular views, you treat them as second-class citizen or anti-nationals and un-patriotic.

Sir, I refuse to subscribe to this view. This is the attitude that has been taken. Can I not honestly believe that the country's progress lies in a different direction?

In the case of whosoever does not agree or whosoever is acting *mala fide*,

[Shri Somnath Chatterjee]

if he is a traitor to the country—because this is your approach—and if you have evidence and if you want to take action against him—take action against him. In the ordinary law, there is a provision in the Indian Penal Code—a move strict provision—for treason and you may prove it. But, you cannot prove it; still you want to keep the people deprived of their rights without any opportunity being given to them.

Therefore, Sir, the emergency detention under section 16A—the justification for which was that it was only for a limited period as was held out. I am not using the word actually, but that was the impression given—was intended to be for not more than one year. More than one year has elapsed—about 15 months have now elapsed—may be fourteen months at least—what is now the objective situation which you want in this country under which you can release them? Is there any assurance that this will not go upto 36 months? Is there any assurance that this will not go upto 48 months?

I therefore submit—I will take just half a minute more before I sit down—what Mr. Justice Bhagwati said in the fagu show case—in the last case—he had expressed great unhappiness over the way in which the MISA was being applied.

He has said:

"We must remember that it is a constitution we are expounding—a constitution which gives us a democratic republican form of government and which recognised the right of personal liberty as the most prized possession of an individual. Shall we not then lean in favour of freedom and liberty when we find that it can be done without any violence to the language of the constitutional provision? Shall we not respond freely and fearlessly to the intention of the founding fathers and interpret the constitutional provision in the broad and liberal spirit

in which they conceived it, instead of adopting a rather mechanical and literal construction which defeats their intention?

The power to detain without trial is itself a drastic power justified only in the interest of public security and order. It is tolerated in a free society as a necessary evil. But the power to detain a person for life without trial is something unthinkable in a democracy governed by the rule of law. It is a draconic power subversive of freedom and liberty and can have no place in our constitutional arrangement. To grant such a power would be to destroy the democratic way of life, to annihilate one of the most cherished values of a free society and to vest in the State authoritarian power which is the anti-thesis of the rule of law. It would rob the fundamental guarantee of personal liberty of all meaning and content and reduce it to a more husk."

Now, he has changed his views but what he has said in the minority judgement will be more cherished in future. Therefore, with all humility, sincerity, seriousness and whatever emphasis we have, we oppose this Bill on principle because it goes beyond the implied representation made by the Government. Therefore, Sir, I say let the hon. Minister at least tell us when and where he will stop whether civil liberties will continue to be your bug bear....

SHRI DINEN BHATTACHARYYA (Serampore): Sir, I may be allowed the right to reply on his behalf.

MR. CHAIRMAN: Under the rules only the Member who has moved has the right of reply and nobody else. You can speak all right but not reply on his behalf.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANAND REDDY): Sir, I beg to move:

"That the Bill further to amend the Maintenance of Internal Security Act, 1971, be taken into consideration."

MR. CHAIRMAN: Motion moved:

"This House disapproves of the Maintenance of Internal Security (Amendment) Ordinance, 1976 (Ordinance No. 5 of 1976) promulgated by the President on the 16th June, 1976."

"That the Bill further to amend the Maintenance of Internal Security Act, 1971, be taken into consideration."

Shri R. S. Pandey may speak.

श्री राम सहाय पांडे (राजनदगांव) :
सभापति जी, गृह मंत्री श्री ब्रह्मानन्द रेड्डी ने तदन से एक वर्ष की अवधि और मांगी है, मैं उसका समर्थन करता हूँ। एक वर्ष गुजर गया और जो अनुभव हमारे सामने आये, जो लाभ देश को हुआ, जो अनुशासन देश को मिला, समग्र समाज में जो देन का भाव पैदा हुआ, दायित्व के प्रति हम जाग्रत हुए और वे असामाजिक तत्व, एन्टीमोशन एलीमेंट्स, जो हमको लिक्विडेट कर रहे थे—धीरे धीरे, समाज में एक तरह का घुन लग गया था—कलक भाकिटर्ब, स्मगलिंग, कारेन एक्सचेंज की लूट करने वाले, धांवर इनवायसिंग और घडर इनवायसिंग करने वाले, बड़े धाम अपने धधे में लगे हुए थे। जहाजों के जहाज स्मगलिंग गुब्ब के आ रहे थे। ऐसा अनुभव हो रहा था जैसे उनके मन में किसी भी प्रकार का कोई भय नहीं है, यह भावना नहीं है कि इस देश में कोई सरकार भी है या उनका कुछ राष्ट्रीय दायित्व भी है। हमारा कारेन एक्सचेंज लिक्विडेट हो रहा था। असामाजिक तत्व हमारी इकोनॉमिक लाइफ को, हमारे धार्मिक जीवन को खोखला करते जा रहे थे। दूसरी तरफ राजनीतिक दृष्टि से आप देखें तो आपको पता चलेगा

कि हिंसा का वातावरण देश में पैदा कर दिया गया था। जनता यह कहने लग गई थी कि इस देश में कोई सरकार नाम की चीज नहीं है और भ्रमर है तो वह अपने उत्तरदायित्व को सामान्य रूप से समझने में असमर्थ है। उसका जो दायित्व है कि वह सुरक्षा लोगों को प्रदान करे उसको वह पूरा नहीं कर रही है। इस प्रकार के सोचन सरकार पर लगने लग गए थे। एक एक्स-जोसिव एटमॉस्फीयर तैयार कर दिया गया था। मैं पूछना चाहता हूँ इसी संदर्भ में क्या यह सही नहीं है कि आनन्द मार्ग के लोगों ने एक वड्येंद्र रचा था और यह तय किया था कि जितने इस देश में टाप लीडर हैं खाम तौर से कांग्रेस पार्टी के उनको लिक्विडेट किया जाए। मैं इसका प्रिसाइड और कैंटोगनिकल आंसर गृह मंत्री जी से चाहता हूँ। भ्रमर इस बात का सरकार को पता चल गया था तो मैं पूछना चाहता हूँ कि क्या सरकार को अपनी आंखें बन्द रखनी चाहिये थी और राष्ट्र के नेताओं को इस प्रकार से लिक्विडेट होने देना चाहिये था। जब श्रीमती इन्दिरा गांधी इलाहाबाद गई थीं और वहां जैसा प्रदर्शन हुआ उस में क्या हुआ? अटक हुआ और हिंसा का एक ऐसा वातावरण पैदा कर दिया गया था कि भ्रमर सरकार ज.पूत न होती और उसने सुरक्षात्मक कदम न उठाए होने का पता नहीं क्या हो गया होता। हमारी बिलविट प्राइम मिनिस्टर को पता नहीं क्या हो गया होता? आप बताएं कि श्री ए० एन० रे के साथ क्या हुआ है? क्या हुआ है श्री ललित नारायण जी के साथ जो कि सभापति महोदय आपके प्रान्त से आए थे? उस प्रान्त ने एक बड़ा अच्छा व्यक्ति और नेता खो दिया। इस प्रकार के व्यक्तों को हवा देने वाले, भय देने वाले बड़े भूदानी, बड़े समाजसेवी बड़े अपरिग्रही, बड़े प्रहिसावादी नेता थे जिन्होंने कभी राजनीति को गम्भीरता से नहीं लिया अपने जीवन में। कहीं मुंह पर पट्टी लगा कर वे जलूस निकाल रहे थे और

[श्री राम सहाय पांडे],

कहीं असेम्बली और विधान सभा के चुने हुए लोगों के सिर झुका करके उनके पसूस उनको गद्दी पर सवार करके निकलवा रहे थे। नौजवानों में एक आक्रोश, एक गुणा और तिरस्कार की भावना पैदा कर रहे थे। उन्होंने मासूम नौजवानों की भावनाओं से खेलना शुरू किया, उनको एकसंख्योट करना शुरू किया और ऐसा वातावरण देश में निमित्त कर दिया जिससे पता चलता था कि अब तो इस देश में कुछ इसी प्रकार का वातावरण चलेगा।

समापति महोदय, आपको याद होगा कि आइम मिनिस्टर ने जो जो बातें और जो जो मर्गे श्री जय प्रकाश जी ने रखी थी उन पर सम्पीरतापूर्वक विचार करने के लिए उनको बातचीत के लिए टेबल पर निमंत्रित किया था। इसके जवाब में उन्होंने कहा था कि मैं आने के लिए तैयार हूँ लेकिन आप बिहार की विधान सभा को पहले भग कर दें। यह कान सा लड़िका था, कौन सा तर्क था ? इसमें तो गुणा की भावना थी, ईर्ष्या द्वेष की बात थी। देश में इस प्रकार का वातावरण बनाया जा रहा था ऐसा एकमनोसिद्ध एटमास्फीयर क्रियंट किया जा रहा था जिससे एक प्रकार का ज्वालामुखी भड़क उठे ताकि जो हमारा दायित्व है उसका निर्वाह हम न कर सकें और देश को हम सम्भाल न सकें। बिरोधी दल के लोग क्या चाहते थे ? उन्होंने प्रदर्शन किए बिना किए। 25 तारीख को रामलीला मैदान में तय किया गया कि सेक्रेटरीएट का बरखा किया जाए। प्रधान मंत्री के घर में उनका बरखा किया जाए, उन्हें हाउस एर्रेस्ट कर दिया जाए। अब क्या इस प्रकार होने दिया जाना चाहिये था ? इसका कोई औचित्य था ? क्या इस प्रकार से सरकार चल सकती है ? सार्वजनिक दायित्व का निर्वाह वह इस प्रकार से कर सकती है ?

आपने देखा होगा कि पश्चिमी देशों के लोग हम पर आरोप लगाते हैं कि हमने

लोकतन्त्र को तिरापीजि दे दी है। कोई-साहब कहते हैं कि जो हमने 1947 में पाया था उसको हमने खो दिया है। जो भ्रष्ट लोग हैं वे वहाँ कहते हैं, इस प्रकार का आयेनिका करवा रहे हैं जैसे हमारी सड़कों पर टैंक चल रहे हों। लेकिन आप भूल गये कि हमारी डेमोक्रेसी में प्रधान मंत्री ने एक ऐसा ज्वलन्त उदाहरण रखा था। जो सम्भवतः किसी देश में नहीं हुआ, और यह यह कि गुजरात में हर भीठिभ में उन पर पत्थर फेंके जा रहे थे, फिर भी प्रधान मंत्री ने कुछ नहीं कहा। क्या किसी राष्ट्र के प्रधानमंत्री की समा में पत्थर फेंके जाय इस बात की आशा सम्भवा देती है ? उस समय बैस्टर्न कन्ट्रीज वालों ने नहीं देखा हमारी प्रधान मंत्री ने उस समय भी पत्थर फेंकने वालों की कोई धालोचना नहीं की। और यद्यपि वातावरण दूषित था, लेकिन पत्थर फेंके जा रहे थे, टेलीविजन दिखाये जा रहे थे बाहर कि हमारी प्रधान मंत्री पर पत्थर फेंके जा रहे हैं। तब किसी ने उसको अनुचित नहीं कहा। क्या कहीं ऐसा हुआ किसी देश में कि प्रेसीडेंट या प्रधानमंत्री के इलेक्शन कम्पेन के समय पत्थर फेंके जाते हों। मैं कहता हूँ कि लोकतन्त्र का इस से अधिक ज्वलन्त उदाहरण हो नहीं सकता, स्वतंत्रता और सिविल लिबर्टी का इससे ज्यादा ज्वलन्त उदाहरण नहीं हो सकता कि जो चाहे बैसा बर्ताव करे। ऐसा प्रदर्शन सत्तार में किसी राष्ट्र में नहीं होने दिया गया जैसा श्रीमती इन्दिरा गांधी के लोकतन्त्र के नाम पर यहाँ होने दिया। यद्यपि ऐसा नहीं होने देना चाहिये था। हम जब चुनाव में अपना मैनीफेस्टो लेकर जाते हैं तो लोग फूल भी फेंकते हैं, पत्थर भी फेंकते हैं, और गुमिया ने उसको देखा। लेकिन उस की भी कोई सीमा होती है। वह सीमा भी लाच गये तब चारों तरफ से हमारे ऊपर जनता का यह आक्षेप आने लगा कि श्रीमती इन्दिरा गांधी इतनी उदार क्यों हैं, इतनी सरल क्यों हैं, क्या अपने दायित्व का निर्वाह करना नहीं जानती ? तब यह निर्णय लेना पड़ा।

बाहर के देशों की सेनाओं के आक्रमण का मुकाबला तो हमारे जवान कर सकते हैं, और किया। पाँच बार आक्रमण का मुकाबला हमारे जवानों ने किया। एक उदाहरण हमारे देश में है, इसी सदन में बड़े जोर के साथ, बड़ी उमंग के साथ सारे लोगों ने खड़े हो कर प्रधान मंत्री को स्ट्रेडिंग ओवेशन दिया था जब उन्होंने बांगला देश के बारे में निर्णय लिया था और कहा था कि वह दुर्गा की अवतार हैं। वही लोग आज यह कहते हैं कि वह डिक्टेटर बन गई हैं। डिक्टेटर क्या बन गई हैं? स्वयं प्रधान मंत्री ने कहा कि जो अधिकार इंग्लैंड के प्रधान मंत्री के हैं, अमेरिका के प्रेसीडेंट के हैं, फ्रांस के प्रेसीडेंट के हैं, उन में बहुत कम अधिकार उनके पास हैं। और आज भी लोक सभा, है आज भी हम है, प्रशासन है। लेकिन एक निर्णय जो किया गया वह ऐतिहासिक निर्णय था कि हम देश को बरबाद नहीं होने देंगे। जो भी देश की आर्थिक लाइफ को बरबाद करने वाले हैं, चाहे स्मगलर्स हों, चाहे फारेन ऐक्सचेंज और इन्कम टैक्स की चोरी करने वाले हों, चाहे पोलिटिकल लाइफ को खराब करने वाले हों, हमारी जो लोकतंत्र की प्रतिभा भी उस को धराशायी करने वाले लोगों को बर्बाद नहीं कर सकते। यह कौन सा निर्णय है? यह एक ऐतिहासिक निर्णय है, और आज देश के लोग आप को साधुवाद देते हैं, कृतज्ञता ज्ञापन करते हैं क्योंकि आप ने देश को बचा लिया।

दाने दाने के लिये हम परेशान हो गये, कौन नहीं इस बात को जानता है कि होर्ड्स के खिलाफ जब आवाज उठायी तो विरोधी दल की तरफ से मधु लिमये जी कास भेंटशन लाते थे। और तरह तरह की बातें यहां कही जाती थीं। मैं पूछता हूँ कि वह बात कोबाली थी जो गुजरत में लोग खूबे मर रहे थे और अनाज से भरे बैग्स पंजाब में खड़े थे, ऐसे समय रेलवे हड़ताल का आह्वान किया था और स्ट्राइक कराई गई। यह

क्या था? देश में इनटर्नल सिक्युरिटी को बनाये रखने के लिए सरकार ने इस सदन में एक विधेयक पारित कराया और उस के अनुसार शराबारी तत्वों को उठा कर जेल में बन्द कर दिया उन में से एक माठव भंडरपाउंड हो गये और पुलिस के बचने के लिए उन्होंने दाढ़ी रख ली। अगर उन में कनविकशन था, तो वह साहस के साथ कहते कि हम ने जो किया, ठीक किया।

उन्होंने वह काम किया, जिसे अंग्रेजी में हिटिंग बिलो दि बेल्ट कहते हैं। जब देश कमजोरी की स्थिति में था, जब अनाज की पंदावार कम हुई थी और देश के लोगों को खिलाने की समस्या सरकार के सामने थी, जब सरकार अपनी गाड़ी कमाई की बिदेसी मुद्रा दे कर इन्टरनेशनल मार्केट से अनाज ला रही थी, ताकि कोई भूखों न मरे, जब हम लोग समाजवाद की रचना में लगे हुए, के ताकि सीमायटी के लास्ट मैन, समाज के सब से नीचे के व्यक्ति, के प्रति हमारा कमिटमेंट पूरा हो और सबंधारा समाज की दशा में कुछ सुधार हो, तो उस समय हमारे मार्ग में न जाने कितने रोड़े घटकाये गये। किसानों से कहा गया कि सरकार उन को प्रोक्युरमेंट प्राइस कम दे रही है। वे लोग शहरों में कहते थे कि अनाज के भाव बढ़ रहे हैं।

वे लोग जमाखोरों से चन्दा लेते थे और स्मगलरों के साथ उन की सांठ-गांठ थी—जार्ज फर्नेडीज की खाम तौर से सांठ-गांठ थी। वह रात को उन लोगों से मिलते थे और पैसा ले कर घाते थे। इकानोमिक अपराधियों के साथ उन की सांठ-गांठ थी, लेकिन “उल्टा चोर कोतवाल को डांटे” की कहावत को चरितार्थ करते हुए वह हम पर यह चार्ज लगाते थे कि हम उन लोगों से मिले हुए हैं। खैर, यह तो समय ने सिद्ध कर दिया है कि हम उन लोगों से मिले हुए थे या नहीं। आज स्मगलिंग करीब करीब बन्द हो गई है। सीसा के साखू रहते हुए सरकार

[बीराम सहाय पंडे]

ने इकनोमिक आर्गेनज को एक मौक़ा घोर दिया। समापति महोदय, आप बड़े विद्वान हैं। आप जानते हैं कि अगर भय की बात न होती, तो क्या बिना टैक्स दिये छिपा कर छन रखने वालों से यह 1500 करोड़ रुपया इकट्ठा होता। जब श्री महावीर त्यागी फ़िनांस मिनिस्टर थे, तो घास्टेस्टी के नाम पर वह बस में सफर करते थे। उन्होंने कहा कि जो लोग अपना छिपा हुआ छन बाहर निकालेंगे, उन को इनकम टैक्स के मामले में कनसेशन दिया जायेगा। वह झोली फेंसा कर चूमते रहे, लेकिन सिर्फ 200 करोड़ रुपया बसूल हो सका।

मैं निवेदन करता चाहता हूँ कि किसी भी तत्व को सफलतापूर्वक संचालित करने के लिए नियंत्रण का होना बहुत आवश्यक है, उस के बिना तत्व डीला हो जायेगा और उस पर से विश्वास हट जायेगा। लोकतंत्र की बात कही जाती है। मान लीजिए, हम अपने बच्चों से कहे कि हमारे घर में लोकतंत्र है, अगर किसी को स्कूल जाना हो, तो जाये, वर्ना न जाये और अगर किसी को पढ़ना हो, तो पढ़े, वर्ना न पढ़े तो इस का परिणाम यह होगा कि कोई बच्चा स्कूल नहीं जायेगा और न पढ़ेगा। इस का कारण यह है कि ह्यूमेन नेचर में एसकेपिज्म का एक तत्व विद्यमान है। आदमी यह नहीं सोचता है कि उस का भविष्य क्या होगा। इस लिए जो व्यक्ति भविष्य का भी ध्यान रखता है, वह बच्चों को खिलाता भी है और चाँटा भी रखीव करता है, किसी पड़ोसी द्वारा शिकायत किये जाने पर वह उन को डाँटता भी है और फिर प्यार भी करता है, वह उन की पढ़ाई का ध्यान भी रखता है और उन का परीक्षा-फल भी देखता है। यह तत्व पर नियंत्रण रखने की बात नहीं है, तो और क्या है? इसी तरह प्रधान मंत्री जी ने परिश्रम का अभिवादन होने के तारे,

एक प्रशासक के तारे, वायुमंडल बोट से घुने हुए नेता के तारे देश के हित को धृष्टि में रखते हुए उन लोगों के खिलाफ कार्यवाही की, जो इकनोमिक लाइफ को खोखला कर रहे थे, जो स्मगलिंग और चोर-चाकारी में इनवाल्ड थे, जो फ़ोबल-इनवायसिंग और घडर इनवायसिंग करते थे, तो हमारे देश के पोलिटिकल डायरे को उद्देश्य कर रहे थे।

इस लोक सभा में क्या नहीं कहा जाता था? हम पार्लियामेंट के मेम्बर ऐसा ज़हूर उगलते थे, एक दूसरे पर इस तरह से आक्षेप और लाछन, आरोप और प्रत्यारोप लगाते थे कि बाहर के लोग देख मुन कर कहते थे कि ये लोग तो मछली बाजार का सा व्यवहार करते हैं।

कभी जब स्कूलों से आए हुए बच्चे इन गै-रीड में बैठे हुए होते थे तो वे कहते थे कि तेरा लगता है कि इस देश में कोई ईमान-दारी नहीं है। प्रक्रमण पर प्रक्रमण होते थे जैसे कोई छच्छा आदमी ही नहीं है। छच्छा दायित्वपूर्ण व्यवहार करने वाला ममाज ही नहीं है। ऐसा डीला भाषला पँदा कर दिया जाता था भावनाओं और विचारों के द्वारा। जो जिसके पास धन्य था, धावण से लेकर लाठी, बल से लेकर उकसाने तक सबका इस्तेमाल किया गया। सब स्वतंत्र थे। कहते थे सब क्या है? क्या बताए ऐसी घुटन पँदा हो गई थी? लोग कहते हैं कि सब घुटन है। सब तो इस बच गए और देश बच गया। देश के चारों ओर की बात बाद में बताऊँगा। जब देश में ऐसे इकनोमिक आर्गेनज बन्द हो गए और पोलिटिकल कॉरिप्टरी करने वाले लोग जो सहार, डिसा और हत्या में विश्वास करते थे, उनकी भी जरा प्रेम से सेवा कर दी गई तो क्या हुआ? देश में कोई सुधार हुआ है,

महान की दवा से कम और खेती पाती भी अच्छी हो गई, बोई बाव भी कम हो गए और सभी बीस रोड पहले भाव जब बढ़ने शुरू हो गए तब और बढ़कर के तो पंडित ब्रह्मानन्द जी ने एक डांट लगाई, कहा कि ठहर जाओ। सब धरबरा गए। पंडित का जो काम करे वह पंडित और ब्रह्मानन्द जी तो ब्रह्म में हैं और ब्रह्मानन्द में हैं, उनकी एक डांट के बाद भाव फिर नीचे आ गए।

मैं समझता हूँ कि शासन तन्त्र को चलाना होगा तो डंडे से चलाना होगा, ऐसा मैं नहीं कहता हूँ लेकिन मैं यह जरूर कहूँ कि जैसे एक ने शिकायत की कि रास्ते में एक सांप भिलता है, वह काटता है और कई लोगों को उसने काटा है तो एक महात्मा जो पढ़े, वह सांप को समझाने लगे तो काटना बुरा होता है, बहिमा और सभ्यता का समय है, आधुनिक समय में लोग तुम्हें बदनाम करेंगे, उसने काटना बन्द कर दिया, लोगों को पता लग गया कि इसने काटना बन्द कर दिया है तो लोगों ने उसके न काटने की प्रशंसा का साथ उठाया, उसके साथ सजाक करने लगे और डेढ़ पत्थर उठा कर उसको मारने लगे, बेचारा जखमी हो गया और बहिमा, लाहिमा करने लगा। महात्मा जी फिर पढ़े, उसने कहा कि आपने हमें यह क्या समझा दिया, हम पहले काटते थे तो बचे हुए थे और जब ने बहिमा धारण की तब से वेब लें हमारी क्या हालत हो गई है। हम नहीं चाहते ब्रह्मानन्द जी किसी को काटें, डंडे से काम लें। लेकिन उस महात्मा ने जो कहा वह सुन बीजिये। उन्होंने कहा कि सांपनाथ मैंने यह कहा था कि काटो नहीं, यह तो नहीं कहा था कि फुफकारो भी नहीं। तो काटिये नहीं, डंडा न चलाइये लेकिन अपने स्वाम पर फुफकारिये जरूर जिसमें ये असमयिक तत्व जो बोध कर रहे थे, जिन्होंने हमारे जीवन के साथ बिलबाड शुरू कर दी थी, कानून और व्यवस्था की

ऐसी की तैयारी कर दी थी, ऐसा किसी भी प्रकार से एकत्र करना शुरू कर दिया था, माठी के बल पर जो हमारे सामाजिक जीवन से—

श्री जी० एम० तिवारी (गोपालगंज) : लोगों को अगर यह मान्य हो जाएगा कि ये काटेंगे नहीं, केवल फुफकारेंगे तो लोग अपना रवैया तो नहीं बदलेंगे।

सभापति महोदय : ये क्या सांप हैं ?

श्री राम लक्ष्मण शंखे : यह जो मीसा धाया हमने जीवन सन्तुलित हुआ, जो डग-मगानी नाव थी वह अपने साहित्य पर पहुंची, उद्देश्यों के दर्शन हुए, चेतना समन्वित हुई और अपने दायित्व के मार्ग पर हम आगे बढ़े। कल और आज के जवान में कितना अन्तर है ? कल का जवान जय प्रकाश के साथ था तो कितना गुमराह था, आज का जवान संजय गांधी के साथ है तो कितने रचनात्मक काम करने में लगा हुआ है। हमने उस दिन अधिवेशन देखा। ज्वाक प्रेजीडेंट मारे देश के घाए हुए थे। क्या उत्साह था, क्या उमंग थी, क्या चेतना थी, क्या कर्तव्य बोध था और आगे बढ़ने की क्या धृष्टि हुई भावना थी ? कितना अनुशासन था ? इससे यह अनुभव होता है कि समाज बड़ी है लेकिन नेतृत्व ने बातावरण में कितना परिवर्तन लाकर दिखा दिया है। नेतृत्व अगर ठीक नहीं है तो देश टूट जायेगा। नेतृत्व अगर सबल है, अच्छा है तो देश आगे बढ़ेगा। वेद के उस कबन की तरह से चरैवेति, चरैवेति, हम आगे बढ़ने चले जायेंगे और अपने उद्देश्य की पूर्ति कर सकेंगे।

हम जानते हैं कि मीसा का कहीं कहीं दुरुपयोग हुआ है। ब्रह्मानन्द जी ने बड़ी शांतिनता के साथ कहा है कि यदि उनकी

[श्री राम सहाय पांडे]

नोटिस में कोई ऐसा केस लाया जायेगा तो उस पर वे विचार करेंगे। हम अधिकारपूर्वक कहते हैं कि हम दो बार केसेड उनकी नोटिस में लाये तो उन्होंने बड़ी उत्तारता के साथ काम किया। मैं समझता हूँ कि ऐसी कोई भी मंशा सरकार की नहीं है, न ब्रह्मानन्द जी की है और न प्रधान मंत्री जी की है और न ही हमारे तंत्र की ऐसी मंशा है कि ऐसे लोगों को जो इन्वाल्ड नहीं हैं डायरेक्टली उनको पकड़ा जाये। जो भी पकड़े गए उनके केसेड को देखा गया, स्कीनिंग की गई और अगर वे थोड़े बहुत ही इन्वाल्ड थे तो उनको छोड़ दिया गया। इस प्रकार बहुतों को छोड़ दिया गया है। वहाँ के सकलेचा जी और यहाँ के लक्ष्मीनारायण पांडे जी, दोनों गए हैं। कल जेल पर बहस हो रही थी, कहा गया कि जेल में रिफार्म होना चाहिए। ऐसा रिफार्म हुआ है कि लोग बड़े मोटे होकर आए हैं। खा खा कर मोटे हो गए हैं। हमारे क्षेत्र के एक शास्त्री जी थे उनके नौ गलौरे लाल हो गए, खा खा कर तकड़े हो गए। हमने पूछा शास्त्री जी, आपको क्या मिलता था वहाँ पर तो कहने लगे दूध, टोस्ट, बी और बढिया भोजन। (व्यवधान) आपने अपने दायित्व के निर्वाह में यह भी चाहा है कि देश को बचाने के लिए जिन लोगों को बन्द किया गया उनकी गतिविधि में अन्तर आये, उनका हृदय परिवर्तन हो और वे शान्ति के माध्यम निबाम करे। वह शान्ति के साथ गो इसी प्रकार रह सकते थे। यदि कहीं हम जनता को झटका देते तो उनकी क्या दशा होनी? हमने कहा थोड़े दिन शान्ति के माध्यम रहिये। मैंने शास्त्री जी से पूछा कि आपके मन में कोई अन्तर आया तो वे बोले हमने तो अनुभव किया, जेल में 9 महीने रहने के बाद, कि हमको कोई कष्ट नहीं हुआ लेकिन हमारी अन्तरात्मा कहती थी कि हम गलत रास्ते पर थे। यह बात उन्होंने

कही। इस प्रकार जिन लोगों की सेहत बन रही है, जिनकी विचार करने का मौका मिला है, एक स्थान पर रह कर जिनको आत्मदर्शन और आत्मचिन्तन करने का मौका मिला है वे जब बाहर निकलेंगे उनमें धावे से ज्यादा मायब ऐसे लोग होंगे जिनको अनुभव होगा कि श्रीमती इन्दिरा गांधी ने जो कुछ किया वह बिल्कुल ठीक किया। इससे एक साल का एक्सटेंशन नहीं, जितने सालों का एक्सटेंशन चाहिए वह आप ही लीजिए। हम ब्रह्मानन्द जी की चिन्ता को जानते हैं, उनके हृदय को जानते हैं, प्रधान मंत्री जी के हृदय को जानते हैं, उनके मन में किसी प्रकार की कटुता नहीं है। इस देश की उन्नति और प्रगति के लिए आज भी वे विरोधी दलों के साथ हाथ मिलाए को तत्पर हैं। हम नेतृत्व की सफलता की कामना करते हैं। इसकी एक वर्ष की अवधि बड़ा दी जाये, इसका मैं समर्थन करता हूँ।

SHRI P. G. MAVALANKAR
(Ahmedabad): Mr. Chairman, Sir, at the outset I must express my gratitude to you for calling me at this stage of the debate. I must also at the outset apologise to the hon. Home Minister for my inability to be present tomorrow when perhaps he replies. Normally, I should remain in the House when the Minister replies, but I am constrained to go back to my place by air tomorrow morning because of serious illness and accidents of some of the members of my family.

Let me say very candidly that I am not able to relish the buoyant and enthusiastic manner in which some of my Congress friends are supporting this extension of MISA. I am only referring to those who have spoken today or earlier on this subject. I do not think this is an occasion to show any enthusiasm or joy and talk in a very lighthearted manner about the thousands of our own countrymen

who have been incarcerated for more than a year. They may be totally misguided according to the Government, but to talk in terms of such derision and jokes about them is not very befitting to our dignity and honour. I hope you will pardon my saying so. The real point is this: the Government action of MISA extension is a further commentary on the tragedies of the political situation and public life in our country. Now, on the one hand, Government says that everything is getting normal, and on the other hand Government says that everything is still very abnormal and, therefore, they want all these Draconian laws and powers! If you say that everything is getting normal, then you must, inevitably, not only release the prisoners but come back to democratic rails, as the Prime Minister has often been saying; there should be some kind of normalcy in terms of the tenets of the Rule of Law. You cannot say that everything is getting normal and at the same time also say that there is need for further extension because there is still Emergency, there are still anti-social elements at large, etc. You cannot have this contradiction going on all the time. Then you must effectively say, "So far, we have failed, and as long as we have not succeeded, we will continue". I can understand that argument theoretically. But to say that you are succeeding, and at the same time to go on increasing the arbitrary powers, does not sound logical nor does it appeal to morality or justice.

The second aspect of the matter is that this MISA is dreaded, not so much because of the internment in jail, but because of the uncertainty that is hanging on every one who is detained. I can understand if you detain me and tell me for what you have detained me. But if I do not know for what I have been detained—

even when I am an honest, sincere man, and as patriotic as anybody else in this country or in this House, no matter to which party or no-party I belong—what am I to do? What am I to do except to speculate as to what must be the democratic, decent, civilized, right, proper, non-violent behaviour and attitude which will earn me the prize of being called a law-abiding citizen? A law-abiding citizen is not necessarily one who obeys all laws of Government. A law-abiding citizen as Socrates and Mahatma Gandhi and several other immortals have said, is one who obeys all good laws, all just laws and fervently disobeys all unjust laws, all bad laws, and accepts all the consequences, including death, as Socrates did, and as Mahatma Gandhi did, though on different footings. Because of the secular outlook, to which many of us subscribe too, of Gandhiji, a mad man did away with the life of the Father of our nation. Well then, as I was saying, there is this uncertainty, accompanied by the absence of knowledge on the part of any one of us, detenus or otherwise, as to the reasons for detention and as to what has happened for extending this MISA and extending the jail term to so many people. We should know what is their fault, so that we can at least tell them or try to correct them or guide them. If Government do not tell us their fault but keep on saying vaguely that they are anti-social elements, anti-democratic elements, etc., then at least for me it is something very difficult to digest.

Thirdly, I want to ask this in all humility, in all seriousness, with all sincerity. Should there be no justice involved in all that we may be doing? If you want to deal, and deal effectively, with an emergent situation of any kind, as my friend, Mr. R. S. Pandey exerted himself more than what his health would permit to argue, important and even Draconian measures may become necessary. Yes, important and

[Shri Somnath Chatterjee]

even Draconian measures are necessary to curb evil, but not to curb dissent; to curb disorder but not to curb orderly expression of opinion; to curb violence, but not to control a legitimate non-violent dissent, a civilized way of expressing an opinion which may be in line with yours or may not be in line with yours. Similarly because it is not in line with yours, does it automatically become violent? Does it automatically become indecent or an uncivilized way of expression? I am raising these fundamental issues and am making an appeal to the Prime Minister, as well as to my esteemed friend, the Home Minister, and his colleagues, who have said that, ultimately, they have the interests of the country at large. They might have also the interests of their party at heart. That interest is there. It is no use saying, 'No, no,' as some Congress friends seem to be shouting. You have vested interests of remaining in power. I might say this in all humility and with all assertion because I do not belong to any Party and I have no dream of joining this office or that office or becoming this Minister or that Minister, but I do want to say something and act in the interests of the nation, in the interests of the Rule of Law, in the interests of our great motherland with an ancient past and a bright future. Therefore, I appeal to you and request you to ponder once again on this point when you have this MISA and now when you extend it further, is it not lack of justice? Is it not lack of natural rights? Is it not an absence of any appeal which is so dangerous and bad? If you extend the MISA but allow no appeal, extend the MISA but recognise no natural justice, extend the MISA but accept no natural rights, then it is the end of everything. It is not only the end of everything, but it is the end of our own survival, because survival and civilisation, to my mind, are equated. If I cannot survive as a civilised man, I do not think I want to survive. But if I want to survive

as a civilised man, then I must see to it that I must oppose those aspects of the policy and practice of any government, no matter what Party it belongs to, which I consider as very wrong and bad.

Fourthly, I want to say very briefly that decent and non-violent expression of opinion can never be punished in any democracy. You may have 99 persons on the one side and you may have only one man on the other side. But even if that one man is, according to you, wrong, as long as he is not violent and as long as he is not indecent and uncivilised, he has a right to say what he wants to say, especially because he happens to be in the minority of one against 99 who are pitted against him.

Now, Sir, several Congress Members have been referring to recent years' happenings in Gujarat. I should, however, ask one very simple question, very briefly and in all earnestness. My friends, so many of them on the Congress Benches, are asking me privately and in informed discussions and they are also raising this point on the floor of this august House when they say, 'What about Gujarat? What about the Navnirman movement?' I say, and I have said it repeatedly, that I was one of those very few who publicly dissociated himself from the Navnirman movement even before it became violent and I also told the student leaders that I was ever committed to Democracy and non-violence. I do not want to name any of them here and for that matter, I do not want to name anybody who cannot defend himself here. But I want to ask this question to my Congress friends and the Central Government. In regard to all those student leaders of the Navnirman movement, several of whom were violent and destructive, what have you done Mr. Home Minister? You and your Party absorbed them as members of the Congress Party in Gujarat. Are you not ashamed of it? Are you not ashamed of this fact that

only in 1974 and 1975 and even now in 1976 when you are saying that these students and agitators are violent and bad, that you are now publicly arranging celebrations and programmes and platform meetings in Ahmedabad and other parts of Gujarat to publicly welcome them into the fold of your Party ... (Interruptions) You claim that they have come into congress fold in hundreds and thousands. Let me say that especially, all their leaders, of most of them, have been absorbed as Members of the Congress Party.

समापति महोदय : प्रोफेसर साहब,
किसी को, जो गिर पड़ा है, क्या उठने
का अधिकार नहीं है ?

SHRI P. G. MAVALANKAR: I am not arguing. I am only saying that even in 1974, you might remember and later in 1975 and 1976, many Congress leaders had publicly said that these violent elements are not to be given any footing, but now when they all in a bondwagon joined your party they certainly have become good and sacred! When they were outside the Congress, they were not sacred. Mr. Chimanbhai Patel—I must give only one name though I do not think his or any other name needs to be referred to here, and certainly not by me—when he was the Chief Minister and the popular agitation was against him to remove him from office, and when that was ultimately done, later on what happened? We saw that he and his associates have joined or were about to join the Congress Party in Gujarat. Not only that, KIMLOP, the Party founded by him and which now is dissolved, you have had to depend on the members of that KIMLOP in the Gujarat Assembly to topple the Morcha Government. Whether the Morcha Government remains or does

not remain, it is a matter for them and the country and for our destiny. That is not my point. My point is that you have had to depend upon those very elements whom you are decrying and describing as violent in your speeches on the floor of the House.

In the remaining few minutes, I would very briefly say about the abuse and misuse of FISA. I appeal to the Home Minister. Please look into this very carefully, and very very carefully, because I find increasing evidence of bureaucratic bossing and political vendetta let loose at large by arresting all kinds of people. I find that not only in Gujarat—I can speak with a greater knowledge of Gujarat—but I am sure all over the country, all sorts of people are being arrested, and hundreds of students, teachers, professionals and political workers are being arrested on the ground of sheer political revenge, and even some quite innocent teachers, professors and students doing Ph.D. have also been arrested. What is their fault? Just because they said that the emergency was not right? If anybody feels that he is right let him say it. In so doing has he spoken anything indecent? Has he destroyed any property? Has he become violent? No. Then why did you do it? Therefore, Sir, I appeal by telling the Home Minister and requesting him and through him the entire Government, let us make a distinction between unsocial elements, criminal elements on one side, and honest political dissenters and those who differ from the establishment on the other. Unless you make such a distinction between the two, you will make inevitably the criminals more politically oriented and the politicals more desperate. That will not lead to any peace and dialogue. That will not lead to any harmony. It may be 1976 or 1977 or it may be even 1987, if you go on doing like this, India will go down. That is the danger; that is the difficulty. Now, whether this party goes

[Shri P. G. Mavalankar]

down or whether that opposition goes down, whether this man dies or that man is in jail etc., are all comparatively minor issues. The most important fundamental issue is whether by what you do and I do, and by what we do together in this House, through this Parliament, august as it is, India, our Motherland, will go forward or get backward.

Therefore, I conclude by saying this. MISA has actually become a terror. It is dreaded by everybody including you and me. Let us be honest about it. We all dread it because of various things, which I told you right now. If we dread it and fear it, may I understand whether this fear is only on the part of the people? People are today afraid of Government, that is of MISA, all over the country. But Government also are afraid of opinion that is truth! Why is there the Press Censorship? While I cannot see any justification of press censorship, and the press gallery here remaining almost vacant, what harm is done if an honest opinion, different from the opinion of the establishment, goes to the Press? If it is a wrong opinion, why are you afraid? But, unfortunately, we the heirs of Mahatma Gandhi, have all fallen to this low level of being afraid of each other—people afraid of government, government afraid of opinion, and in the end, Gandhiji's Supreme lesson 'Be Fearless' seems to be evaporating very rapidly.

So, Sir, it is with these sad thoughts that I conclude, and I am bound to

express my strong and most sincere opposition to this extension of MISA for a further period of one year.

श्री हरी सिंह (जुज्ज) : माननीय समापति जी, मदन में एम०आई०एम०ए० के लिए एक साल का वक्त मांगा गया है जो बहुत ही मनासिब है। यह बिल जिस पर चर्चा हो रही है आखिर इसका प्रश्न क्यों उठा? श्री माननीय मावलंकर जी कह रहे थे कि यह एम०आई०एम०ए० टैरर है। लेकिन यह टैरर उनके लिए है जो देश में गोस्वत नहीं करते थे जो नोडफोड़ करके भारत में हुकूमत करना चाहते थे, जो हिमा में खेन रहे थे, जिन्होंने बाजारों को, राष्ट्रीय सम्पत्ति को, दफ्तरों को आग लगाई और देश को नष्ट करने का इरादा बना लिया था, ऐसे लोगों के लिए यह टैरर है। अगर ऐसे लोगों के लिए टैरर नहीं हुआ तो देश में कोई हुकूमत नहीं चल सकती। अगर देश में कोई तन्त्र कायम रखना है, भारत के नागरिकों की स्वतन्त्रता को रखना है तो किसी न किसी शक्ल में दंड होना चाहिये जो भारतीय राजनीति में एक संज्ञा है जिसके माने हैं कि लोगों को न्याय मिलना चाहिये। आज विरोधी दल के लोग लिबर्टी की दुहाई देते हैं। मैं पूछता हूँ कि लिबर्टी कांग्रेस पार्टी ने छीनी या विरोधी दल के उन लोगों ने छीनी जो हमारे बड़े बड़े नेताओं को पत्थर मार करके, चप्पल मार करके, उन की मानहानि करके लोगों की स्वतन्त्रता को खतरे में डाल रहे थे? अगर ऐसी स्वतन्त्रता की दुहाई विरोधी दल के लोग देते हैं और कहते हैं कि हमारी लिबर्टी छीन रहे हैं तो मैं कहना चाहता हूँ कि ऐसी लिबर्टी को, जिसमें विरोधी दल के लोग नाजायज फायदा उठावें, उस को छीन लेना चाहिये।

समापति महोदय : अब आप कल बोलियेगा।

17.50 hrs.

BUSINESS ADVISORY COMMITTEE

SIXTY-SECOND REPORT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, I beg to present the Sixty-second Report of the Business Advisory Commi

सभापति महोदय अब मदन की बैठक ,
कल 11 बजे तक के लिये स्थगित की जाती
है ।

18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 13, 1976/Sravana 22, 1898 (Saka).